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Re: Skinner Landfill -- City of Madeira Information Regarding the Municipal
Solid Waste Settlement Policy

Dear Ms. Estes:

This is the City of Madeira's ("Madeira") formal notification of its desire to enter into settlement negotiations with the United States Environmental Protection Agency ("EPA") for the Skinner landfill site pursuant to the EPA's "Policy for Municipality and Municipal Solid Waste CERCLA Settlements at NPL Co-Disposal Sites."

In the non-binding ADR proceeding instituted in the Skinner contribution litigation (The Dow Chemical Co., et al. v. Acme Wrecking Co., Inc. et al., Case No. C-1-97-307), the allocator has concluded that Madeira is connected to the Skinner landfill site although Madeira vigorously disputes any connection to the site. In fact, as can be seen from the attached documents, there is no competent evidence connecting either Madeira to the site.

Madeira official records indicate that it, either on its own or by contractor, collected residential household waste from its citizens and disposed of the waste at sites other than Skinner. For purposes of settling its liability in the contribution litigation, however, Madeira will stipulate that it contributed municipal solid waste to the site. Information regarding Madeira's disposal of municipal solid waste can be found in the following documents:

1. City of Madeira's Responses to ADR Allocation Questionnaire;
2. City of Madeira's Response to Allocator's Follow-Up Questions;

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3. City of Madeira's Initial Position Paper Submitted to Allocator;
4. City of Madeira and City of Mason's Joint Supplemental Position Submitted to Allocator; and
5. Allocator's Preliminary Findings regarding City of Madeira.

Madeira believes that this evidence supports its position that it merits settlement under the policy. As you know, under the policy, the EPA will settle with a qualifying party at \$5.30 per ton of waste contributed to the site. According to the allocator, he estimated that Madeira contributed 4,180 uncompacted cubic yards of waste into the Skinner Landfill. Under the policy, there are 100 pounds in each cubic yard of uncompacted waste. Therefore, Madeira contributed 209 tons of waste to the site $[(4,180 \times 100) \div 2000]$. Accordingly, under the policy, the EPA should settle with Madeira for \$1,107.70 (209 tons x \$5.30).

If you need any further information that will assist you in applying the policy to Madeira, please let me know.

Very truly yours,

C. J. Schmidt
C. J. Schmidt */fmr*

CJS:jlh

Enclosures

cc: Lisa M. Rammes, Esq.
Kenneth J. Schneider, Esq.
Robert P. Malloy, Esq.

CITY OF MADEIRA ("Madeira")

Madeira stated that it had not located any record of the city contracting for waste disposal prior to 1944. Thereafter, the city contracted with various entities for residential waste collection. Madeira explained that the waste collected by these contractors consisted of typical household/residential waste including foodstuffs, paper products, plastics, etc. The City claimed that it disposed of no wastewater, sewage or sludge during the relevant time period.

Madeira contracted with the following companies/individuals for waste collection and disposal:

From	To	Contractor
8/2/44	6/16/50	Proctor Spaulding
7/1/50	6/30/52	Estella Spaulding
7/1/52	12/15/55	Louis Moser
12/15/55	12/15/59	Estella Spaulding
12/15/59	12/15/61	Max Dixon
12/15/61	12/15/63	4-H Disposal
12/15/63	12/15/69	Clermont
12/15/69	12/15/71	Rumpke Waste
12/15/71	12/15/79	Clermont
12/18/81	12/26/91	Rumpke

Madeira said that its contracts with the Spauldings indicated disposal at a landfill in Morrow; contracts with others did not specify a particular disposal site. The 1955 contract with Spaulding stated that if Hamilton County opened an incinerator, then Spaulding must agree to use it. A 1957 City Ordinance for a contract with Spaulding mentioned the then current disposal site in Morrow and provided that if dumping fees increased the city could procure another site for its contractor to use.

Waste was picked up weekly from residences. Madeira estimated that the average residence generated between 40 - 50 lbs/week. However, the City did not know how many homes existed within the City boundaries during the relevant time period. It also did not know how many trucks were used by the waste contractors. The City claimed that it provided no waste collection services to commercial establishments greater than 20,000 square feet or to industrial establishments.

In its original response to the ADR Questionnaire, the City stated that the City Manager and Assistant City Manager did research for the questionnaire and that "[n]o persons were interviewed because no one is available who would have specific knowledge as to the information requested in this questionnaire." Madeira further stated that persons with knowledge are deceased. In response to follow-up questions, Madeira claimed that the "City Manager conducted a full and thorough investigation" and that he "not only reviewed all of the available Councilmanic legislation which covered the relevant time period, but also interviewed those individuals who he could identify as possibly possessing information related to the City's waste disposal policies during the relevant time period and any information related to any alleged connection between the City of Madeira and the Skinner Landfill site." The result of this investigation was that no one was aware of any disposal at Skinner. I was

told. I do not assume that there were resurrections from the dead, so I have concluded that interviewees were discovered and that the persons interviewed, in fact, had no useful personal knowledge.

Ray Skinner did not know if Madeira used the Landfill. Elsa Skinner said only that it was a customer. Maria Roy said she heard the name more than once and over a number of years but dating back some time ago.

The City identified Spaulding as a collector from 1944 - 1952 and 1955 - 1959. Rodney Miller testified that he was certain that Spaulding took waste to the Skinner Landfill. (R. Miller Depo., p. 111, 155-56). The city argued that Mr. Miller's testimony is "based on mere conjecture." However, Mr. Miller's father ran his own landfill and the Spauldings took waste there. His father also ran the Morrow landfill which was not yet open when his father's landfill shut down in 1951. Mr. Miller was familiar with the business of waste disposal in the 1950s. The City found no one able to rebut Mr. Miller's testimony. The contracts and ordinances found by Madeira do not purport to cover the entire decade of the 1950s. Rather, Ordinance no. 659 dated December 2, 1957 reflected that Ms. Spaulding had been using a dump site in or near Morrow.

I also note that while Madeira claims it contracted only for residential service, the resolutions and minutes of the Village Council in 1945, 1946, and 1948 accepting the bids of Proctor Spaulding indicated that waste services for business establishments were included.

The City acknowledged the Rodney Miller testimony and argued that, if credited and given the contracting status of Spaulding, the longest time period for which it might be linked to the Skinner Site is six months in 1952 (on the assumption that Mr. Miller's father's landfill closed in December 1951). It then argued that at 40 pounds of waste per residence per week (it estimated 40-50 pounds but used 40 pounds), and assumed 1,200 residents and weekly pickups, and 26 weeks of collection, the City generated no more than 624 tons of waste.

Waste-in Amount. I am crediting Mr. Miller's testimony which I found to be persuasive. I also am accepting the City's rationale for limiting the waste-in amounts to six months. I will also accept the City's waste total which I convert to cys as follows: 624 tons times 2,000 pounds per ton divided by 600 pounds/compacted cy times 2 as a compaction ratio, or a total waste in figure of 4,180 uncompacted cys.

SKINNER LANDFILL ADR ALLOCATION QUESTIONNAIRE

Responses from the City of Madeira, Ohio

October 9, 1997

QUESTIONS DIRECTED TO MUNICIPALITIES

Note: The sources for the following information were limited to existing councilmanic legislation which identified the contractor with whom the City of Madeira ("Madeira") contracted for weekly residential waste collection. Copies of all applicable legislation are included with this document. In most instances, the legislation did not identify the address of the contractor. No other former Madeira officials were available who would have any knowledge regarding the details of the contracts with the haulers. As well, the actual contracts with the haulers were not available, presumably because they were disposed during routine record disposal process. Under Ohio Law, such documents are required to be retained for a limited period of time. Beyond that period, they can be disposed.

- 12.(a)(b) and (c). Madeira has no knowledge and has no reason to believe that any substances, by-products, hazardous wastes, general waste, or any other materials were transported from Madeira to the Skinner Landfill site. When entering into a contract with any transporter of waste or other materials which were generated by the residents of Madeira, Madeira only specified that the transporter would collect and dispose of the residential trash and material which was collected from the residents of Madeira. The terms of the contract never specified the manner by which the materials would be collected or by which they would be disposed. Madeira has no knowledge that any of the waste was taken to the Skinner Landfill. Nevertheless, Madeira was able to identify the following transporters as the individuals who did transport waste on behalf of Madeira during the applicable time period. **By including the following list, Madeira does not admit nor demonstrate a belief that the waste of Madeira was ever taken to the Skinner Landfill. Rather, Madeira is including this information to enable the Allocator to make an informed decision of whether Madeira is more likely than not a party which falls within at least one of the classes of parties liable under § 107(a) of CERCLA, 42 U.S.C. § 9607(a).** The following is a list of those individuals or companies who transported materials for Madeira, Ohio:

<u>DATE</u>	<u>CONTRACTOR NAME & ADDRESS (if known)</u>	<u>SOURCE OF INFORMATION</u>
Prior to 8/2/44	No records of contract residential waste collection. The assumption is that residents were responsible for their own disposal methods.	

Skinner Landfill ADR Questionnaire

October 9, 1997

<u>DATE</u>	<u>CONTRACTOR NAME & ADDRESS (if known)</u>	<u>SOURCE OF INFORMATION</u>
8/2/44 - 9/5/45	Proctor Spaulding, Address Unknown	Ordinance No. 408 (Ex. 1)
9/5/45 - 8/8/46	Proctor Spaulding, Address Unknown	Ordinance No. 220 (Ex. 2)
8/8/46 - 6/16/48	Proctor Spaulding, Address Unknown	Ordinance No. 217 (Ex. 3)
6/16/48 to 6/16/50	Proctor Spaulding, Address Unknown	Resolution No. 239 (Ex. 4)
7/1/50 to 12/31/51	Estella Spaulding, Address Unknown	Ordinance Nos. 476 & 495 (Ex. 5)
1/1/52 to 6/30/52	Estella Spaulding, Address Unknown	Ordinance No. 511 (Ex. 6)
7/1/52 to 7/31/54	Louis Moser, Address Unknown	Ordinance No. 518 (Ex. 7)
8/1/54 to 12/15/55	Louis Moser, Address Unknown	Ordinance No. 570 (Ex. 8)
12/15/55 to 12/15/57	Estella Spaulding, Address Unknown	Ordinance No. 610 (Ex. 9)
12/15/57 to 12/15/59	Estella Spaulding, Address Unknown	Ordinance No. 659 (Ex. 10)
12/15/59 to 12/15/61	Max Dixon, Address Unknown	Ordinance No. 703 (Ex. 11)
12/15/61 to 12/15/63	Bernard Henke, 4-H Disposal Service 1235 Seymour Road, Cincinnati, Ohio	Ordinance No. 753 (Ex. 12)
12/15/63 to 12/15/65	Clermont Waste (James W. Gailey) Address Unknown	Ordinance No. 810 (Ex. 13)
12/15/65 to 12/15/67	Clermont Waste (James W. Gailey and Frank Bauman), Address Unknown	Ordinance No. 862 (Ex. 14)
12/15/67 to 12/15/69	Clermont Waste (James W. Gailey), Address Unknown	Ordinance No. 925 (Ex. 15)

Skinner Landfill ADR Questionnaire

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<u>DATE</u>	<u>CONTRACTOR NAME & ADDRESS (if known)</u>	<u>SOURCE OF INFORMATION</u>
12/15/69 to 12/15/71	Rumpke Waste, Hughes Road, Cincinnati, Ohio	Ordinance No. 992 (Ex. 16)
12/15/71 to 12/15/75	Clermont Waste, Address Unknown	Ordinance Nos. 1074 and 1142 (Ex. 17)
12/15/75 to 12/15/77	Clermont Waste, Address Unknown	Ordinance No. 1221 (Ex. 18)
12/15/77 to 12/15/79	Clermont Waste, Address Unknown	Ordinance No. 1318 (Ex. 19)
12/18/81 to 12/16/83	Rumpke Waste, Hughes Road, Cincinnati, Ohio	Ordinance No. 1568 (Ex. 20)
12/26/83 to 12/26/86	Rumpke Waste, Hughes Road, Cincinnati, Ohio	Ordinance No. 1654 (Ex. 21)
12/26/86 to 12/26/91	Rumpke Waste, Hughes Road Cincinnati, Ohio	Ordinance No. 86-30 (Ex. 22)

13. **Although Madeira has not identified any instances in which Madeira has transported, disposed or arranged for the disposal or transportation of any waste or other materials to the Skinner Landfill site, Madeira will respond to question 13 with respect to the contracts referenced in question 12. In so doing, Madeira does not admit or demonstrate a belief that the waste collected under these contracts was transported or disposed of at the Skinner Landfill site.**

Because the contracts with each and every transporter contained similar provisions and because the types of materials collected by these transporters were similar for each time period, the contracts identified in question 12 will be discussed collectively. Any Ordinances or other Regulations pertaining to the set of questions under question 13 have been attached hereto and have been referenced in each specific response.

- (a). To the best of Madeira's knowledge and records, the type of material transported by each of the transporters identified in question #12 was typical household/residential waste generated by the citizens of Madeira. These materials would include discarded foodstuffs, paper products, plastics, etc.

- (b). The process by which the material was generated is assumed to be that which typically is found in a residential environment.
 - (c). The frequency with which the material was generated and transported was weekly.
 - (d). The total amount (weight and volume) is unknown at this time. The average residential structure will generate between 40-50 lbs. of waste material per week. Present volume of waste material per home generated by Madeira residents is 45 lbs. per week. Since it is unknown as to how many homes were in Madeira for each year of the subject time period, it cannot be calculated as to the total volume of material transported from Madeira.
 - (e). All materials were removed through a curbside collection program. The material was collected from residential containers (cans and bags) and placed into trucks for transport and disposal.
 - (f). It is unknown as to how many trucks were used during the process. The determination of how many trucks and the method by which the residential waste and other materials of Madeira were to be collected was to be determined by each transporter. Madeira did not have any control over the specific manner of the collection or disposal of such waste.
 - (g). The disposal price is identified on the corresponding legislation. The legislation is attached to this report. Madeira paid a monthly fee presumably paid on a per residential unit basis.
 - (h). The source for the above information was obtained from the legislation attached to this report.
14. Clermont Waste Collection did transport or dispose of material from Madeira from December 15, 1963 through December 15, 1969, and again from December 15, 1971 through December 15, 1979. Additionally, Rumpke Waste did transport or dispose of material from Madeira from December 5, 1969 through December 15, 1971 and from December 18, 1981 through the end of the relevant time period. Clermont Waste Collection and Rumpke Waste are identified as transporters on Exhibit "A." The information requested in subsection (b) for each of these transporters is found in the responses provided above in question #13(a)-(h).
15. To the best of our knowledge and records, no material disposal or transportation of material was provided to any commercial establishment exceeding 20,000 square feet or

industrial establishment. As noted above, Madeira provided residential waste collection services. Commercial and industrial users provided their own waste disposal.

16. With respect to several of the contracts between Madeira and the Spauldings, the contracts indicated that Madeira's waste was transported to a site in Morrow, Ohio. (Exhibit 10). With respect to contracts with contractors other than Spaulding, Madeira did not direct nor control where the transporters took the materials once the materials were collected from Madeira's boundaries.
17. No wastewater, sewage or sludge was disposed from Madeira during the subject period.
18. Copies of appropriate legislation identifying specific contractors have been included with this document.
19. Copies of meeting minutes are included which identify the discussion of each ordinance or resolution which authorized the appropriate contract for the disposal of residential waste.
20. Any former officials who may have knowledge regarding the subject are no longer available.

QUESTIONS DIRECTED TO ALL PARTICIPANTS

27. Research on existing legislation authorizing contracts with specific waste haulers was conducted by City Manager, Thomas W. Moeller and Assistant to the City Manager, Amy P. Zorn. No persons were interviewed because no one is available who would have specific knowledge as to the information requested in this questionnaire. Persons who may have specific information are now deceased.
28. Madeira would like to set forth its factual defenses to the claims asserted by the Plaintiffs. At this time, there is insufficient factual information which ties Madeira to the Skinner Landfill site. Therefore, it is more likely than not that Madeira does not fall within the categories of one of the parties who is subject to liability under § 107(a) of the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. § 9607(a). Therefore, Madeira is entitled to a zero (0) allocation.

Initially, only one individual who was interviewed by the Plaintiffs testified that Madeira had ever used the Skinner Landfill site during the relevant time period. In an interview, Rodney Miller, an individual who purportedly lived on the site since 1978 indicated that Madeira, along with several other municipalities, hauled waste or other materials into the Skinner Landfill site during the 1950's and 1960's through a hauler by the name of

Spaulding. Although Madeira does acknowledge that it used Estella and Proctor Spaulding to transport material in the 1950's and 1960's, several of the contracts with the Spauldings referenced disposal sites other than the Skinner Landfill. For instance, in Ordinance No. 659, for the years of 1957 through 1959, the contract contains a specific reference to the fact that a disposal site in or near the City of Morrow, which is not near the Skinner Landfill site, was the disposal site for the Spauldings. This is clearly inconsistent with Mr. Miller's allegation that the Spauldings took any materials from the City of Madeira to the Skinner Landfill. Contrary to Mr. Miller's allegations, Skinner Landfill was not the primary disposal site for the Spauldings with whom Madeira contracted. (S.D. 0010405).

With respect to Mr. Miller's testimony itself, it is not apparent that the interviewer explored the basis for Mr. Miller's allegations. It is not clear how Mr. Miller was familiar with the Skinner Landfill site during the 1950's and 1960's. Mr. Miller, himself, indicated that he had only been living on the site since 1978. Therefore, it is unclear what knowledge, if any, Mr. Miller actually has of Madeira's connection or activities involved with the Skinner Landfill site. Moreover, in an interview conducted by John Breslin of the Environmental Protection Agency, another individual, Roger Ludwick, specifically testified when asked by Mr. Breslin that he was unaware of any connection of Madeira to the Skinner Landfill site. (S.D. 0010393). Additionally, the Plaintiffs did not include any other testimony of any other witnesses which connects Madeira in any other manner to the Skinner Landfill site.

Furthermore, there is no indication in any of the Skinner log books which reflect that Madeira ever utilized the Skinner Landfill site. Additionally, although Madeira does acknowledge that it contracted with a hauler by the name of Spaulding to transport its waste as alleged by Mr. Miller, there is no references within the Skinner log books to any disposal by this hauling company. There are simply no records and no testimony other than here say connecting Madeira to the Skinner Landfill site.

Consequently, based upon the factual information which has been gathered at this time, there is insufficient factual information tying Madeira to the Skinner Landfill site. Therefore, the Plaintiffs failed to carry their burden of establishing that Madeira is more likely than not a party which falls within at least one of the classes of parties liable under § 107(a) of CERCLA. Madeira should, thus, be allocated a zero (0) allocation.

29. With respect to the allocation of any of the clean up costs associated with Skinner Landfill, Madeira is entitled to a zero (0) allocation. Pursuant to the Gore Factors which have been identified in the Case Management Order as the equitable factors for the Allocator to consider when making his reports, it is apparent that the balance of the equities dictate that Madeira be allocated a zero (0) allocation.

Even if Mr. Miller's allegations were presumed to be correct that Madeira did transport or arrange for the transportation or disposal of residential waste to the Skinner Landfill site, there has been no indication that any of these substances which were allegedly disposed of by Madeira were hazardous substances within the context of the CERCLA liability statutes. The Plaintiffs have not made any allegations of the amount of hazardous substances which Madeira may or may not have contributed to the site. Additionally, the Plaintiffs have not set forth any factual basis regarding the determination, the degree of toxicity or hazard of any of the materials which Madeira may have or may have not contributed to the site.

It is clear that residential waste contained a minuscule percentage of toxic substances. Courts have recognized that residential waste generally contains less than one percent (1%) by weight of substances that the EPA considers hazardous to the environment or to the public health. *B.F. Goodrich Co. v. Murtha, et al.*, 958 F.2d 1192, 1197 (2nd Cir. 1992). Therefore, even if Madeira did transport or dispose of or arrange for the transportation or disposal of residential waste to the Skinner Landfill site, Madeira's contribution to the overall contamination of the site is minuscule when compared to the activities of the other parties who have been identified in this case. It is apparent that the equities, therefore, demand that Madeira be allocated a zero (0) allocation for the clean up costs to be incurred in cleaning up this site.

30. Madeira is unaware of any other potentially responsible parties who have not been identified in Exhibit B to the questionnaire.
31. Madeira does not have anything further to add in response to any of the questions above. However, Madeira reserves its right to provide further information to the Allocator to assist him in making an informed decision of whether Madeira is more likely than not a party which falls within at least one of the classes of parties liable under § 107(a) of CERCLA.
32. Lisa M. Rammes
WOOD & LAMPING
2500 Cincinnati Commerce Center
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Cincinnati, Ohio 45202

CERTIFICATION

On behalf of City of Madeira (the "Participant"), I hereby certify that the Participant has conducted a full and thorough investigation to acquire all information necessary to respond to the foregoing questions and that the answers to all of the foregoing questions are given in good faith and are truthful, accurate, and complete to the best of my knowledge and belief. I further certify that to the best of my knowledge and belief, the Participant has not withheld any information which might contradict or cast significant doubt upon the foregoing answers. I further certify that if the Participant becomes aware of any information or documents that indicate that a response to this questionnaire was incomplete or incorrect at any time during the allocation process, the Participant will supplement its initial response to reflect the additional documents or information of which the Participant subsequently becomes aware. Finally, I certify that I am authorized to sign this Certification on the Participant's behalf.

Robert P. Malloy *per authorization*
Name Jisa M. Rammes

Law Director
Title

10/9/97
Date

CITY OF MADEIRA'S RESPONSE TO ALLOCATOR'S FOLLOW-UP QUESTIONS

1. In responding to the questionnaire, the existing City Manager conducted a full and thorough investigation as defined under the ADR Questionnaire. The City Manager not only reviewed all of the available Councilmanic legislation which covered the relevant time period, but also interviewed those individuals who he could identify as possibly possessing information related to the City's waste disposal policies during the relevant time period and any information related to any alleged connection between the City of Madeira and the Skinner Landfill site.

In addition to his own first-hand knowledge of the City's waste disposal policies for the time period of 1989-1990, the existing City Manager also interviewed a number of other individuals who could have had knowledge regarding the information requested in the questionnaire. Specifically, the City Manager interviewed the individual who had served as City Manager from approximately 1981-1989, the Mayor who served the City from approximately 1959-1977, and a former Maintenance Supervisor for the City who served the City from sometime in the late 1960's until the end of the relevant time period. Each of these individuals was asked about his knowledge regarding any connection between the City of Madeira to the Skinner Landfill site. Further, these individuals were asked about their general knowledge of the City's waste disposal policies.

It was the testimony of each of these individuals that, to the best of their knowledge, the City of Madeira has never been connected to the Skinner Landfill site. During the time period in which each of these individuals served the City of Madeira, the City of Madeira never contracted with any of the Skinners for the disposal of waste nor did the City ever arrange for waste to be disposed at the Skinner Landfill. Based upon each of these individuals' recollections of the City's waste disposal policies, the City never disposed any waste at the Skinner Landfill site. Because these individuals did not have any knowledge about a connection between the City of Madeira and the Skinner Landfill site, the City responded in the questionnaire that there was no identified person who had any knowledge related to the questionnaire or a connection between the City of Madeira and the Skinner Landfill site. In making this statement, the City was not stating that former officials and public employees were not contacted or interviewed regarding the level of their knowledge. These individuals simply did not have any information related to any alleged connection between the City of Madeira and the Skinner Landfill site.

With respect to any other existing or living individuals who may have knowledge regarding the City of Madeira and its waste disposal policies, there are no further individuals, of whom the current City officials are aware, who would have any further information. As a relatively small government, the City Manager has always been the chief administrative officer of the municipality. The City Manager has generally been the primary contracting officer for the municipality and would generally be the individual with the specific knowledge related to any connection between the City and the landfill site. All of the living former City Managers have either been contacted and questioned or

have moved away and are unable to be located by the existing City Manager. Consequently, there are no further individuals other than those identified above who would have any knowledge of the City's waste disposal policies.

Moreover, the testimony of those individuals who have had knowledge of the City's waste disposal policies is that, to the best of their knowledge, the City has never been tied to the Skinner Landfill site.

2. The City of Madeira has conducted a "full and thorough" investigation of the City's connection to the Skinner Landfill site. The City reviewed all existing legislation and City Council Minutes which were available discussing the waste disposal policies of the City during the relevant time period. Additionally, the current City Manager interviewed those past employees and public officials who were available regarding their knowledge of the waste disposal policies of the City of Madeira and any alleged connection between the City and the Skinner Landfill site. All applicable documents have been reviewed and all relevant individuals who are in the City or are within the area have been interviewed as required under the definition of a "full and thorough" investigation. All information which has been obtained from these sources has been reflected in the Allocation Questionnaire and this follow-up Questionnaire response.
3. The main allegation which has developed through the deposition testimony of various witnesses and through documentation provided by both the Plaintiffs and the City of Madeira has been an allegation that the City of Madeira had use a hauler in the 1950's who allegedly brought waste to the Skinner Landfill site. This allegation stems from the testimony of Rodney Miller who testified that it was his belief that the City of Madeira's waste, through Ms. Spaulding, came to the Skinner Landfill site. Mr. Miller's testimony was based on mere conjecture. Mr. Miller admitted that he had no first-hand knowledge that the City of Madeira brought their waste to the Skinner Landfill site and was simply basing his belief upon the closing of his father's landfill site and hearsay he had heard following the closing of his father's site.

In the original Questionnaire response, the City relied upon the confidential investigative memorandum of Rodney Miller and the City's own legislation and Council records to discuss the alleged connection between the City of Madeira and the Skinner Landfill site. Upon a review of the City legislation, it is apparent that the City did use the services of Proctor Spaulding and Estella Spaulding as haulers of residential waste for the City during various time periods in the 1940's and 1950's. Because there are no individuals who are still alive within the municipality who have information related to the waste disposal policies during the 1940's and early 1950's, the City relied upon the contracts and ordinances to determine what connection the Spauldings had to the Skinner Landfill site.

Upon our review of those ordinances, it was determined that a number of these ordinances, including Ordinance Nos. 610 and 659, reflect that Ms. Spaulding had been

using a dumping site other than the Skinner Landfill. Specifically, Ordinance No. 659 reflected that Ms. Spaulding used a dumping site in or near Morrow, Ohio as her dumping site. Based upon this statement in the Ordinance, the City concluded that Ms. Spaulding did not use the Skinner Landfill site, or at least she represented to the City that she used the Morrow landfill site to dump the waste collected from the City residents.

With respect to your question of whether the City has ever had any waste disposed at the Skinner Landfill site by way of the Spauldings, the City has no information related to this. The ordinances prior to the 1955 Ordinance did not refer to any specific disposal site for the Spauldings. Therefore, the City does not have any information related to whether the Spauldings did take any waste from the City of Madeira to the Skinner Landfill site.

Nevertheless, there has not been any clear evidence which ties the City of Madeira to the Skinner Landfill site. Mr. Miller did allege that upon the closing of his father's landfill site, he had heard hearsay from others that Ms. Spaulding allegedly brought waste from the City of Madeira to the site. He testified that he had no first-hand knowledge that any waste generated by the residents of the City of Madeira was transported to the site. Rather, he relied on mere conjecture and hearsay. Moreover, even if Mr. Miller's testimony that the Spauldings brought waste from the City to Skinner is taken to be true, the time period in which this could have occurred could not have exceeded six (6) months.

Mr. Miller indicated that Ms. Spaulding brought all of her waste to his father's site until it closed. Mr. Miller further testified that his father's landfill site did not close until 1951. After 1951, the City of Madeira only used Ms. Spaulding during the time periods of January 1, 1952 to July 30, 1952 and again from December 15, 1955 to December 15, 1959. It has already been specified that during the later time periods of 1955 to 1959, the Ordinances reflect a disposal site other than the Skinner Landfill. Therefore, the only time period in which the Spauldings could have brought waste from the City of Madeira to the Skinner Landfill site is a six (6) month period at the beginning of 1952.

Although there is no clear evidence that this waste was brought from the City of Madeira to the Skinner Landfill site, it is apparent that any residential waste generated during that six (6) month period by the residents of the City of Madeira is minuscule when compared to the other types of waste and amounts of waste which were allegedly brought by other parties to the Skinner Landfill site over the course of the sixty (60) year relevant time period. Therefore, even if the City of Madeira is allegedly tied to the Skinner Landfill site for the six (6) month time period, any contribution that it may allegedly have had to the site is minuscule and the City is still entitled to a zero (0) allocation.

THE DOW CHEMICAL COMPANY, et al., v. ACME WRECKING COMPANY, et al.
ALTERNATE DISPUTE RESOLUTION PROCEDURE

CITY OF MADEIRA INITIAL POSITION PAPER

I. INTRODUCTION

Pursuant to paragraph 12 of the Court's First Case Management Order, defendant the City of Madeira ("Madeira") provides the Allocator with the following Initial Position Paper regarding the factual and legal issues related to Madeira's Questionnaire Responses.

Madeira is a small municipality located in Hamilton County, Ohio. From August 2, 1944 until December 12, 1991, Madeira contracted with various haulers (hereinafter-referred to as "transporters") to collect and dispose of waste generated by Madeira residents. (A-Madeira 0001-0003¹). The transporters would collect the residential waste once a week. (A-Madeira 0004). Madeira did not collect, dispose of, or transport any commercial waste. (A-Madeira 0004-0005). Currently, the average residence will generate approximately 40 to 50 pounds of waste per week although the amount of waste the average household generated during the lifetime of the Skinner landfill is unknown. (A-Madeira 0004).

Madeira never contracted with the Skinners for the disposal of its waste. (A-Madeira 0001-0003). The Skinners all testified that Madeira did not dispose of waste at the site. The logbooks maintained by the Skinners regarding the entities that disposed of waste at the site do not list Madeira as a user of the site.

¹References are to the official document page number on file at the Repository.

**II. MADEIRA DOES NOT FALL WITHIN ONE OF THE CLASSES OF PARTIES
LIABLE UNDER SECTION 107(a) OF CERCLA**

A. Standard Of Review

Pursuant to paragraph 13a. of the Court's First Case Management Order, the Allocator must first determine whether it is "**more likely than not**" that Madeira falls within one of the classes of parties liable under Section 107(a) of CERCLA, 42 U.S.C. §9607(a). The Allocator is to make this determination based upon all the information that has been submitted as part of the allocation process. Section 107(a) identifies several classes of persons liable under CERCLA.

These classes include:

- (1) *The present owner or operator of the facility;*
- (2) *The former owner or operator of the facility at the time of "disposal" of the hazardous substance;*
- (3) *A person who arranged for the transport, treatment or disposal of the hazardous substance (an "arranger" or "generator"); and,*
- (4) *A person who transported the hazardous substance to the site ("transporter").*

It is undisputed that Madeira did not own the Skinner landfill and did not transport any hazardous substances to the site. Therefore, the only provision that is arguably applicable to Madeira is whether it is a person who "arranged for the transport, treatment or disposal of hazardous substances at the site." Madeira is not liable under this provision because the direct and circumstantial evidence establishes that it is more likely than not that Madeira did not arrange for the transport, treatment or disposal of hazardous substances at the site.

**B. The Direct Evidence Establishes That It Is More Likely Than Not That Madeira
Did Not Arrange for the Transport, Treatment or Disposal of Hazardous Waste
at the Site**

The direct evidence establishes that it is more likely that not that Madeira did not arrange

for the transport, treatment or disposal of hazardous waste at the Skinner landfill. The direct evidence regarding Madeira's arrangement of the disposal of its residential waste includes: (1) Madeira ordinances regarding the disposal of residential waste; (2) Logbooks and other documents maintained by the Skinners regarding the users of the site; (3) Testimony of Ray Skinner; and (4) Testimony of Roger Ludwick.

1. Madiera Ordinances

From 1944 through to 1991, Madeira did not transport or collect the waste of its residents but, instead contracted with transporters to do so. Beginning in 1944, the Madeira City Ordinances reflect that Madeira contracted with various transporters to collect residential waste generated by Madeira residents. Prior to 1955, the Ordinances do not reflect where the waste was to be disposed. In 1955, the Ordinances identify that the waste was to be disposed of in a landfill located in Morrow, Ohio. None of the ordinances identify Skinner landfill as the site for disposal of the waste. The transporters Madeira contracted with were as follows: 1944 through 1952--Proctor or Estella Spaulding; 1952 through 1955--Lois Moser; 1955 through 1959--Estella Spaulding; 1959 through 1961--Max Dixon; 1961 through 1963--4-H Disposal; 1963 through 1969--Clermont Waste; 1969 through 1971--Rumpke Waste; 1971 through 1979--Clermont Waste; 1981 through 1991--Rumpke Waste.

2. Skinner documents

Skinner maintained a log of haulers that deposited waste at the site. Those log books do not identify Madeira as depositing any waste at the site. Moreover, the log books do not identify any of the transporters that Madeira contracted with as depositing any waste at the site. Skinner also generated "tickets" when it billed transporters who deposited waste at the site. These

“tickets” do not identify Madeira or any of the transporters it contracted with as depositing any waste at the site.

3. Ray Skinner

Ray Skinner was the deponent who spent the most time at the site and was the operator of the site from 1982 to 1990. Ray Skinner was at the site on a daily basis and was aware of the persons who deposited waste at the site.² More than any other person, Ray Skinner was aware of who deposited waste at the site from his original contact with the site and the drivers in 1955 until the site closed in 1990. Ray Skinner could not identify Madeira as depositing any waste at the site. (Ray Skinner, p. 1037).

4. Roger Ludwick

Roger Ludwick gave a sworn statement to the Environmental Protection Agency in 1994. Mr. Ludwick was present at the site until 1982. (SD 0010391). He testified that Madeira did not use the site. (SD 0010393).

In sum, the direct evidence establishes that it is more likely than not that Madeira did not arrange for the transport, treatment or disposal of hazardous waste at the Skinner landfill.

C. *The Circumstantial Evidence Establishes That It Is More Likely Than Not That Madeira Did Not Arrange for the Transport, Treatment or Disposal of Hazardous Waste at the Site*

The circumstantial evidence establishes that it is more likely than not that Madeira did not arrange for the transport, treatment or disposal of hazardous waste at the Skinner landfill.

The circumstantial evidence regarding Madeira’s arrangement for the disposal of its residential

²Although the PRP’s generally consider Ray Skinner to be a credible witness regarding the identity of persons who deposited waste at the site, he did exaggerate the amount of waste that any one person deposited in the site.

waste includes: (1) the testimony of Elsa Skinner; (2) the testimony of Maria Roy; (3) the interview of Rodney Miller; and (4) Madeira's use of transporters listed as transporter to the site.

1. Elsa Skinner

Elsa Skinner-Morgan is the widow of the Albert Skinner who owned and operated the site from 1947 until approximately 1978 or 1979. Elsa Skinner-Morgan did not work at the site although she did maintain the log books and created "tickets" when requested to do so. During her deposition, Elsa Skinner-Morgan could not identify Madeira as transporting waste to the site. (Elsa Skinner-Morgan, p. 408-409). She testified:

Q. And what can you tell us about it [Madeira]?

A. I think it was -- I'm not sure.

(Elsa Skinner-Morgan, p. 409). Obviously, this testimony does not connect Madeira to the site.

2. Maria Roy

Maria Roy is the daughter of Albert Skinner and Elsa Skinner-Morgan. Although she lived on the property where the landfill is located she never worked there. (Maria Roy, p. 24-25). Elsa Skinner-Morgan testified that her daughter knew very little about the landfill. (Elsa Skinner-Morgan, p. 284). Ms. Roy admitted that she had no firsthand knowledge that Madeira transported waste to the landfill and she could provide no details regarding Madeira's alleged use of the site. (Maria Roy, p. 257-258). In fact, Ms. Roy's testimony consisted entirely of her claim that she "heard the name" and that her brother or father said "Madeira used the place."³

³In her errata sheet to her deposition, Ms. Roy further clarified that she never saw Madeira at the site and that what she knew of it was "hearsay."

This testimony is suspect since it is undisputed that Madeira hired haulers to transport waste to the site and it did not transport it in vehicles owned by Madeira. Thus, it is highly unlikely anyone would know that a particular hauler was bringing waste from Madeira.

3. Rodney Miller

Rodney Miller lived at the site since 1978 and pays Elsa Skinner-Morgan \$300 per month to rent the space. (SD 0010394).⁴ Mr. Miller alleged that Madeira arranged to have its waste dumped at the site during the 1950's and 1960's by hiring a Mrs. Spaulding to haul the waste to the site. (SD 0010405). Mr. Miller's testimony is not based upon any personal knowledge because he was not present at the site during the 1950's and 1960's. Mr. Miller surmised that Madeira used the site because he had heard that Mrs. Spaulding had dumped Madeira's residential waste at his father's landfill until 1951 when this landfill was closed. Mr. Miller stated he had heard that after his father's landfill closed, Mrs. Spaulding had hauled waste to a landfill located in western Hamilton County. From this hearsay, Mr. Miller guessed that Mrs. Spaulding had transported Madeira's waste to the Skinner landfill.

Mr. Miller's guesswork is unreliable. First, the Skinner landfill is not located in Hamilton County but in Butler County. Moreover, Mr. Miller never observed any dumping at the Skinner landfill by Madeira. Also, Madeira's own records establish that Mr. Miller's story is not believable. The Madeira records indicate that after 1959, Madeira did not contract with Mrs. Spaulding for the disposal of its waste. The records also indicate that from 1955 to 1959, Mrs. Spaulding dumped Madeira's waste at a landfill located in Warren County and not at the Skinner

⁴Citations are to a confidential investigative memorandum prepared by Orion Management International who was retained to reconstruct the use of the site.

landfill. Prior to 1955, Madeira contracted with Mrs. Spaulding to collect its waste for a six-month period, that is, from January 1, 1952 to July 30, 1952. Thus, unlike Mr. Miller's unsupported guesswork, during the 1950's and 1960's, there is only a six-month period where Mrs. Spaulding could have dumped Madeira's waste at the site.

D. Conclusion

The evidence establishes that it is more likely than not that Madeira did not arrange for the transport, treatment or disposal of hazardous waste at the site. The "evidence" to the contrary consists entirely of mere conjecture and guesswork. Therefore, Madeira respectfully requests that the Allocator recommend that Madeira receive a zero allocation in the PNARR.

Even assuming that the evidence indicates that Madeira contributed some waste to the site, the amount of residential household waste it deposited is limited to 624 tons. This represents an estimate of the amount of residential waste generated by Madeira for the six-month period January 1, 1952 through July 30, 1952. During that period, the exact number of residences located in Madeira is unknown. However, currently there are approximately 3,600 residences, and even assuming that only one-third of those residences existed over 40 years ago, the total residences in Madeira during that time was 1,200. Today, the average residence in Madeira generates 40 to 50 pounds of waste a week. Multiplying 1,200 residences by 40 pounds, Madeira generated 48,000 pounds of waste per week in 1952, or 24 tons. Therefore, during the six months, Madeira generated 624 tons of waste (24 tons x 26 weeks = 624 tons).

III. MADEIRA'S CONTRIBUTION TO SITE IS \$5.30 PER TON OF WASTE DEPOSITED AT THE SITE

In the Case Management Order, the Allocator stated that he would consider the "Gore Factors" in recommending a party's percentage share other than zero. The Gore Factors are

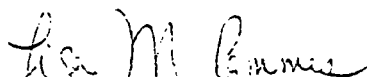
inapplicable to Madeira because on February 5, 1998, the United States Environmental Protection Agency issued the "Policy for Municipality and Municipal Solid Waste CERCLA Settlements at NPL Co-Disposal Sites." A copy of that policy is attached to this Position Statement as Exhibit "A". In that Policy, the EPA recognized that although municipal waste may contain hazardous substances, such substances are generally only present in small concentrations. Pursuant to the Policy, the EPA will offer settlements to eligible municipalities to resolve their CERCLA liability based on a unit cost formula for contributions by municipal waste generators and/or transporters. For a municipality to be eligible for a settlement under the Policy, the waste must be collected from residential sources. The unit cost settlement the EPA will offer to municipalities under this Policy is \$5.30 per ton. If a municipality accepts settlement on these terms, the municipality will be protected from any future contribution claims.

The Policy is applicable here. Therefore, the EPA Policy sets the outer limit of Madeira's liability, and the Allocator need not consider the Gore Factors when recommending a share other than zero for Madeira. Applying the EPA Policy to the Madeira worst case scenario, that is, 624 tons of waste, Madeira's contribution is \$3,307.20 (624 tons x \$5.30 = \$3,307.20).

OF COUNSEL:

WOOD & LAMPING

Respectfully submitted,


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THE DOW CHEMICAL COMPANY, et al., v. ACME WRECKING COMPANY, et al.
ALTERNATIVE DISPUTE RESOLUTION PROCEDURE

CITY OF MASON/CITY OF MADEIRA JOINT SUPPLEMENTAL POSITION PAPER

I. INTRODUCTION

Pursuant to the Allocator's July 22, 1998 letter permitting Supplemental Position Papers to be submitted to the Allocator in response to a number of Supplemental Joint ADR Position Papers filed by the Skinner Landfill Plaintiffs, the City of Mason and the City of Madeira ("Cities") hereby submit the following Joint Supplemental Position Paper regarding the recent Municipal Waste Settlement Policy ("EPA Policy") issued by the U.S. Environmental Protection Agency ("EPA").

II. EPA POLICY

As noted by the Plaintiffs in their July 22, 1998 Supplement ADR Joint Position Paper ("Supplemental Joint Position Paper"), the EPA issued its Policy for Municipality and Municipal Solid Waste CERCLA Settlements at NPL Co-Disposal Sites on February 5, 1998. As identified by the EPA, the intent of the Policy is to provide a fair, consistent and efficient means by which a municipality can settle and resolve any and all alleged liability related to the disposal of municipal sewage and/or municipal solid waste ("MSW") at co-disposal sites on the National Priorities List ("NPL"). Through the Policy, the EPA has provided a means by which a responsible municipality can determine its equitable share of the response costs at a Co-Disposal Site once it has been determined that (1) the municipality has either generated or transported waste to the site and (2) the amount of waste contributed by the municipality is a known or estimated quantity.

Under the Policy, the EPA will settle with a responsible municipality for an amount equal to the product of the known or estimated amount of Municipal Solid Waste ("MSW") times an estimated unit cost of remediating MSW (\$5.30). In deriving the estimated unit cost, the EPA has

recognized the low level of toxicity present in MSW. By developing the unit cost formula, the EPA has increased the chances of a successful settlement for a municipality in a contribution action by providing an effective and efficient tool to calculate a municipality's equitable share of the response costs in an NPL site.

In its July 22, 1998 Supplemental Joint Position Paper, the Plaintiffs address a number of alleged legal deficiencies with the Policy. The Plaintiffs' Supplemental Joint Position Paper, however, is not the proper vehicle to challenge the EPA Policy. The Position Papers and this ADR proceeding have purportedly been designed to assist the parties in reaching a settlement regarding the proper allocation of the remediation costs of the Skinner Landfill. Certainly, the EPA Policy, which is a settlement vehicle, can further this process.

As set forth in the Policy, the EPA has estimated the actual costs which would be incurred in remediating MSW at CERCLA sites. In a contribution action seeking to recover the remediation costs of a NPL site, a third party can only be held liable for the party's proportionate share of the harm caused at a site. *Gould Inc. v. A & M Battery and Tire Service*, 901 F.Supp. 906, 913 (M.D. Pa. 1995). The EPA Policy quantifies this amount for a municipality and simplifies the means by which a municipality's equitable share of the response costs can be determined.

In developing the Preliminary Non-binding Allocation Report and Recommendations ("PNARR"), the Allocator has been instructed to consider any equitable factor which he deems advisable to determine an appropriate allocation of the response costs to each responsible party. If the Allocator does determine that a municipality is more likely than not a responsible party under the CERCLA liability standards, the EPA Policy serves as an effective and efficient tool for the Allocator in determining the appropriate and equitable allocation of response costs to the

municipality. Clearly, a policy which has been adopted by EPA as a settlement vehicle is a factor which the Allocator can, and should, consider in trying to establish an appropriate contribution, if any, which should be attributed to any municipality at the Skinner Landfill Site.

III. CONCLUSION

The EPA Policy is designed to offer a fair and equitable settlement procedure for municipalities who have been determined to be responsible parties for response costs in a CERCLA contribution action. The use of the Policy by the Allocator in this proceeding would facilitate the settlement of the claims which are pending against the various municipalities in this action. The unit cost formula derived from the Policy is the result of EPA's research and studies and appropriately recognizes the differences between MSW and other non-MSW waste. The Plaintiffs challenge of the legal underpinnings of the EPA Policy is not appropriate in any Joint Supplemental Position Paper or this allocation proceeding. The Plaintiffs attempt to deprive the municipalities of the use of the EPA Policy only serves to further undermine the allocation proceeding and the ability of the parties to successfully settle this matter. The EPA Policy would facilitate settlement of any response costs which could be attributed to a municipality. Therefore, the use of the EPA Policy would facilitate settlement and the Cities of Mason and Madeira respectfully request the Allocator to consider the EPA Policy in issuing the PNARR.

I, RUSSELL BROWN, Clerk of the Village of Madeira, Ohio, do hereby certify that the foregoing is a true and correct copy of Ordinance No. 407, passed by Council of said Village on the 5th day of July, 1944.

Russell Brown
Clerk.

ORDINANCE NO. 408

Ordinance Authorizing and Directing the Mayor of the Village of Madeira to Contract for Garbage Collection Service.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, STATE OF OHIO, That:

Section 1. That the Mayor of the Village of Madeira, be and he is hereby authorized to contract with PROCTER SPAULDING, for the purpose of providing garbage and trash collection service for the Village of Madeira, upon the following terms and conditions :-

1. The contractor to furnish trash and garbage collection service to all of the residents within the territorial limits the Village, for the period from September 1, 1944 until September 1, 1945, and in so doing to use his own labor and equipment; said collection service to consist of not less than one collection per week.
2. The Village to pay the contractor for such trash and garbage collection service for said period, the sum of Thirty-six hundred (\$3600.00) Dollars; said payments to be made in monthly installments of Three hundred (\$300.00) Dollars each, on the last day of each month.

Section 2. This ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage. The emergency lies in the fact that the Village of Madeira is without garbage and trash collection service, and the public health and safety requires immediate provision for said garbage collection.

PASSED: August 2nd, 1944.

George G. Turkwood
Mayor.

ATTEST:

Russell Brown
Clerk of Council.



Madeira, Ohio - August 2nd, 1944
Council met in Regular Session
Mayor Kirkwood, presiding

Roll call showed all members of council present; namely, Keet McConnaughey, McCullough, Morgan and Wogenstahl.

Minutes of the regular meeting of July 5th, and special meetings of July 19th and 26th were read and approved.

Pay Ordinance #360 was presented to Council. McConnaughey motioned Ordinance be passed and bills paid. Keethler seconded and on roll call Keethler, McConnaughey, McCullough, Morgan and Wogenstahl voted Aye, thereby passing.

The Mayor declared a recess to enable the Finance Committee to sign the vouchers and appointed Wogenstahl, chairman pro-tem of the Finance Committee.

The Mayor advised the citizens present in the chamber that he would entertain any remarks they might wish to make at this time. A general discussion followed relative to the increase in salary for the Police Chief which was to come before Council at this meeting.

The remarks closed, the Clerk presented to council Ordinance #406, An Ordinance Increasing The Salary Of The Chief of Police. The Mayor entertained the motion that the rules be suspended and this Ordinance, calling for a salary of \$2100.00 per year, be passed to the second reading. There was no motion to this effect.

McCullough motioned Section 1 of this Ordinance be amended to read \$2400.00 per year instead of \$2100.00 per year. This motion died for want of a second.

McConnaughey motioned Section 1 of Ordinance be amended to read \$2200.00 per year instead of \$2100.00 per year. Morgan seconded and on roll call all voted Aye with the exception of McCullough who voted Nay.

Ordinance #406, as amended was then presented to Council for first time.

Morgan motioned rules be suspended and Ordinance passed to second reading. Wogenstahl seconded and on roll call all voted Aye except McCullough who voted Nay. The Ordinance was then read for the second time. Wogenstahl motioned rules be suspended and Ordinance passed to third and final reading. Morgan seconded and on roll call all voted Aye except McCullough who voted Nay. The Ordinance was then read for the third and final time. Morgan motioned Ordinance as read be passed. Wogenstahl seconded and on roll call

McConnaughey, Morgan, Wogenstahl voted Aye; Keethler, and McCullough voted Nay. Ordinance passed.

Ordinance #408, An Ordinance Authorizing and Directing Mayor of the Village of Madeira to Contract for Garbage Collection Service, was then presented and read to Council for the first time. Keethler motioned rules be suspended and Ordinance passed to second reading. Wogenstahl seconded and on roll call all voted Aye. The Ordinance was read the second time. McConnaughey motioned rules again be suspended and Ordinance passed to third and final reading. Keethler seconded and on roll call all voted Aye. The Ordinance was then read for the third and final time after which McConnaughey motioned Ordinance be passed. McCullough seconded and on roll call, Keethler, McConnaughey, McCullough, Morgan and Wogenstahl voted Aye, thereby passing.

Ordinance #409, An Ordinance Authorizing and Directing the Mayor of the Village of Madeira to Contract for Resurfacing Certain Streets in the Village of Madeira, Ohio, was then presented and read to Council for the first time. Keethler motioned rules be suspended and Ordinance passed to second reading. McConnaughey seconded and on roll call all voted Aye. The Ordinance was read the second time. Morgan motioned rules again be suspended and Ordinance passed to third and final reading. Wogenstahl seconded and on roll call all voted Aye. The Ordinance was then read for the third and final time after which McCullough motioned Ordinance be passed. McConnaughey seconded and on roll call, Keethler, McConnaughey, McCullough, Morgan and Wogenstahl voted Aye, thereby passing.

Ordinance #410, An Ordinance Amending Annual Appropriation Ordinance No. 399, Providing for Current Expenses and Other Expenditures for the Year Ending December 31st, 1944, was then presented and read to Council for the first time. Keethler motioned rules be suspended and Ordinance passed to second reading. McCullough seconded and on roll call all voted Aye. The Ordinance was read the second time. McCullough motioned rules again be suspended and Ordinance passed to third and final reading. Morgan seconded and on roll call all voted Aye. The Ordinance was then read for the third and final time after which Keethler motioned Ordinance be passed. Morgan seconded and on roll call, Keethler, McConnaughey, McCullough, Morgan and Wogenstahl voted Aye, thereby passing.

The Mayor then advised Council of the vacancy which existed in Council due to his being elevated to Mayor and recommended their consideration of the name of Ray P. Keys.

Mr. Keethler nominated Ray Keys to fill the vacancy in

Council. Wogenstahl seconded the nomination and on roll call Keethler, McConnaughey, McCullough, Morgan and Wogenstahl voted Aye, thereby electing Ray Keys to fill the vacancy in council.

The Solicitor administered the oath to Ray Keys, after which he took his seat in Council.

The Solicitor then administered the oath of Mayor to Geo. F. Kirkwood, Jr., after which remarks welcoming Mr. Keys to Council were made.

The Mayor's report for the month of July was then presented. This report showed a total of \$22.00 in fines and costs, having been collected during the preceeding month. McConnaughey motioned report be filed, seconded by Keethler and carried.

The Mayor then called for reports of committees and they were as follows:

Mr. Morgan, chairman of the Street Committee, reported on work done during the preceeding month and presented for Council's consideration the following locations of needed repairs.

Camargo Road on the southside of the street from Miami, Avenue East, a space of approximately 250 feet needing resurfacing with gravel, tar and chips.

In front of the Oasis Cafe on Camargo, resurface with tar and chips on the south side and black top on the north side of the street.

Camargo Avenue, east of R.R., tar and chips and Morrison Avenue surface treatment.

After discussion of the above, Keethler motioned that repairs outlined by street committee be approved. Morgan seconded and on roll call all voted Aye.

Morgan then asked that appropriation for month of August be made as follows:

\$150.00 for Labor
\$150.00 for Material

The Mayor advised Mr. Morgan that a more detailed outline of what this requested appropriation was to cover would be in order. He was advised that it was for general repairs to be made during the month on which he could not give exact amounts. He listed proposed repairs which satisfied the Mayor's remarks.

McCullough motioned the appropriation as requested be granted. Keethler seconded and on roll call Keethler, Keys, McConnaughey

McCullough, Morgan and Wogenstahl voted Aye, thereby passing.

Morgan then advised that no action had been taken since the last regular meeting relative to the suggested improvement on the East side of Miami Avenue, south of Euclid. McConnaughey advised in connection with this matter that he had made contacts with James Perin and Bob Griffin for suggestions and estimates and he presented these at this time. Mr. Keethler also presented a sketch which he had prepared for this project, and a general discussion followed.

Mr. McConnaughey motioned that this improvement be made as this year's project and the expenditures of approximately \$1400.00 be made for it. McCullough seconded this motion and on roll call all voted Aye.

Mr. McConnaughey suggested that the street committee consult the Engineer in regards to specifications for this improvement and present same at next meeting. It was agreed that if the Engineer could prepare these specifications to be presented to Council sooner than the next meeting, that a special meeting be called during the month to consider the same.

The Mayor called for a report from the finance committee appointed Mr. Keys as chairman of this committee. There was no report.

Mr. Wogenstahl presented the report of the Police Department for the preceeding month and upon motion by McConnaughey, second by Keethler and all voting Aye, it was ordered filed.

Wogenstahl stated he felt Council should consider a raise in salary for the Patrolman and after remarks, McConnaughey motioned the patrolman be paid the same hourly rate as Village labor, that being 70¢ per hour. Keethler seconded this motion and on roll call all voted Aye. The Solicitor was instructed to prepare an Ordinance to this effect and present at the next meeting.

The Police Chief advised Council that he had been harrassed by a lost pig and asked if the same could be sold and the proceeds used to procure equipment for the Police Department. Keys suggested this matter be referred to the solicitor for his advice.

McConnaughey, chairman of the Lights and Railway Committee presented Mr. Darner, of the Cincinnati Gas and Electric Company who discussed with Council the action they had taken in passing Ordinance #407. He suggested council rescind this action to enable his Company to forgo the necessary filing of application with the Industrial Commission of Ohio. Discussion followed during which time Mr. Darner advised Council that he had prepared a rescinding Ordinance which he would like to have

Council pass at this time. The Mayor then entertained a motion that Ordinance #407 as passed be repealed. McConnaughey motioned to this effect, seconded by Keys and on roll call all voted Nay. Ordinance #407 to stand as passed.

The Mayor then advised Mr. Keys that he was to replace the Mayor on all committees which he had served while a member of Council. The committees were as follows: Chairman - Finance Committee
Member Laws and Contracts
Police and Traffic

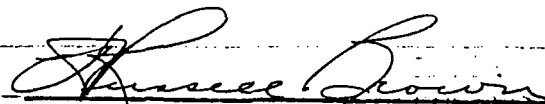
The Mayor advised Council that he would reserve making the appointment of a Vice Mayor until next month's meeting.

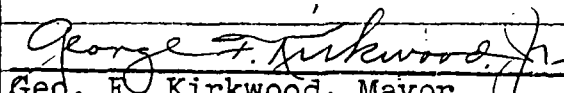
Mr. Dave Jenike advised Council of a tile pipe which he had laid in front of his property two years ago at his own expense and asked Council to consider reimbursing him for this pipe - no action was taken by Council of this request.

Mr. Carl Sidell advised Council of a muddy sidewalk condition Miami Avenue in front of Headworth's property and was informed the sidewalks were the responsibility of the property owners.

McConnaughey motioned the Postmaster be authorized to move mail box from present location as requested. Keys seconded and on roll call all voted Aye.

There being no further business, Keethler motioned to adjourn, seconded by Wogenstahl and carried.


H. Russell Brown, Clerk.


Geo. F. Kirkwood, Mayor.

THE STATE OF OHIO Hamilton County, ss.

I, H. Russell Brown, Clerk of The Village of Madeira, Ohio do hereby certify that the foregoing is taken and copied from the of the Proceedings of said Village; that the same has been compared by me with the Resolution on said Record and that it is a true and correct copy thereof.

Witness my signature, this 5th, day of September, 1945

H. Russell Brown
Clerk.

RESOLUTION NO. 217

DETERMINING THE LOWEST AND BEST BID FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, ANIMAL OFFAL, ASHES AND TRASH FROM DWELLINGS, BUSINESS ESTABLISHMENTS, STREETS, ALLEYS, LANES, LANDS, SQUARES AND PUBLIC PLACES OF THE VILLAGE OF MADEIRA, OHIO.

WHEREAS, after advertising for 2 consecutive weeks in the Cincinnati Times-Star, a newspaper of general circulation in the Village of Madeira, Ohio for bids for the Collection, removal, and disposal of garbage, animal offal, ashes and trash from dwellings, business establishments, streets, alleys, lanes, lands, squares and public places of said Village according to specifications on file with the Clerk of the Village, the Clerk receiving two separate bids each of which was opened and read by him publicly in the Council Chambers at 12:00 O'clock on August 29, 1945, as follows:

Procter L. Spaulding	- \$300.00 per month
Joseph Strawn,	- \$330.00 per month

AND WHEREAS, in the judgment of the Council, the bid of Procter L. Spaulding is the lowest and best bid received.

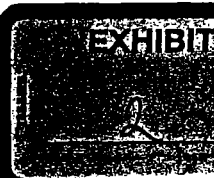
BE IT, THEREFORE, RESOLVED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, OHIO:

Section 1. That the said bid of Procter Spaulding for the collection, removal and disposal of garbage, animal offal, ashes and trash from dwellings, business establishments, streets, alleys, lanes, lands, squares and public places of the Village of Madeira, Ohio at a cost of \$300.00 per month be, and the same hereby is, accepted; and the Clerk is directed to so notify the said Procter Spaulding.

Section 2. That the Mayor and Clerk of the Village of Madeira, Ohio are hereby authorized and directed to execute a contract with the said Procter Spaulding for the collection, removal and disposal of garbage, animal offal, ashes and trash, from dwellings, business establishments, streets, alleys, lanes, lands, squares, and public places in the Village of Madeira, Ohio according to the said specifications on file with the Clerk; and that a bond in the sum of \$1,000.00 be furnished by said contractor to guarantee the performance of the contract.

PASSED: September 5, 1945

George F. ...



..... Madeira, Ohio, September 14, 1945

..... Council met in regular session

..... Mayor Kirkwood, presiding

..... Roll call showed all members of council present.

..... The minutes of the regular meeting of August 1st, and the special meeting of August 10th were read and upon motion by Morgan seconded by Keethler and all voting Aye, were approved.

..... Pay Ordinance #374 was then presented and read to Council. Keethler motioned Ordinance be passed and bills paid. Keys seconded and on roll call, Helfrich, Keys, Keethler, McConnaughey McCullough and Morgan voted Aye, thereby passing.

..... The Mayor declared a recess to enable the Finance Committee to approve the vouchers.

..... The meeting being resumed, ^{an} Ordinance Increasing the Salary of Police Chief was then read for the second time. McCullough motioned that Ordinance be passed to third reading. Keethler seconded and on roll call, Keethler, McConnaughey, McCullough and Morgan voted Aye; Helfrich and Keys voted Nay.

..... Resolution #217, Determining the lowest and best bid for the collection of garbage, etc. was then presented to Council. McConnaughey motioned the Resolution which awards the contract for garbage and trash collection to Procter L. Spaulding on his bid of \$300.00 per month be adopted. Keethler seconded and on roll call, Helfrich voted Nay; Keethler, Keys, McConnaughey, McCullough and Morgan voted Aye; Resolution adopted.

..... Resolution #218, A Resolution declaring it necessary to levy a tax in excess of the 10-Mill limitation. This Resolution for the purpose of general operating expenses in the amount of 2-mills for each dollar of valuation for a period of four years was then presented and read to council. Keethler motioned the Resolution as presented be adopted. Keys seconded and on roll call, Helfrich, Keethler, Keys, McConnaughey, McCullough and Morgan voted Aye, thereby adopting.

..... Discussion followed relative to the plan in bringing this matter to the Public's attention. The Mayor appointed as a special committee for this purpose, Mr. Keys, Morgan and McCullough.

..... Correspondence was then presented. Included were a letter from Miss Ramona Kaiser relative to recent correspondence forwarded to her by the Clerk regarding the origin of the name, "Madeira".

..... From C. W. Hamel, relative to inspecting Sanoma Avenue project from the Board of County Commissioners, Hamilton County, relative

to improvement of county roads within the Village, also, from the Auditor's Office relative to the 2-mill extra levy which expired in May and from Mr. L. W. Macomber, relative to the chicken house at the property at 6534 Miami Avenue. The Mayor also presented correspondence from Earl Henn on zoning. Certain of this correspondence was referred to the various committees, the balance being filed. There was also correspondence relative to an Air Marker being placed in the Village, which correspondence which was referred to the Police and Traffic Committee for their action.

The Mayor called for committee reports and Mr. Helfrich chairman of the street committee presented the engineer's recommendations and estimates in the amount of \$297.00 for repair of Esther Lane. After discussion on the matter, Helfrich motioned that this recommendation be accepted and the work carried out at a cost not to exceed \$297.00, Morgan seconded and on roll call, Helfrich, Keethler, Keys, McConaughy, McCullough and Morgan voted Aye.

Mr. Helfrich then presented figures as submitted by the Brewer Company for the resurfacing of various streets within the Village, but when it was found the Clerk had mislaid the estimate as previously submitted by the Cavett Co. on this matter, it was decided that the matter would be held in abeyance until these figures could be obtained and a special meeting called for action on them.

Mr. Helfrich also advised that a man had been contacted to cut weeds at an hourly rate of \$2.50.

A lengthy discussion on procuring steady labor for the Village followed after which the Mayor advised Mr. Helfrich to extend efforts to line up a party accordingly.

Mr. Keys advised there was no Finance report but the matter which had been referred to him ^{to in turn clear} through the Planning Commission relative to the vacating of Center Street from Laurel to Euclid had been referred to the Planning Commission but that no report was ready on the matter at this time.

Mr. McCullough, chairman of the Laws and Contracts committee advised council that the insurance on the cruise expired on the 15th of September and presented an estimate of Mr. Fred Brandhorst in the amount of \$106.45 if \$25.00 Deductible was wanted along with the 10-20 Bodily Injury, 5- Property Damage and Comprehensive Fire and Theft or a figure of \$122.45 calling for the same but substituting 80-20 Collision in place of \$25.00 Deductible. The matter was discussed, during which time the Mayor recommended that 80-20 be considered in preference to the \$25.00 deductible

Keethler motioned the Insurance be given to Mr. Brandhorst on his bid of \$122.45 including \$80-20. Helfrich seconded and on roll call Helfrich, Keethler, Keys, McConnaughey, McCullough and Morgan voted Aye.

Mr. McCullough also reported on the condition of the stove and the possibility of obtaining an oil heater rather than repair the present stove, was again considered.

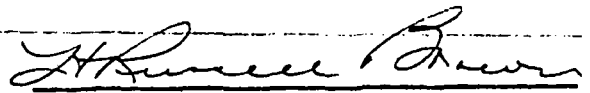
Mr. Keethler submitted the report of the Police activities during the preceding month and also presented the Mayor's report which showed a total of \$68.20 having been collected in fines and costs during August. He motioned these reports be filed. McConnaughey seconded and all voted Aye. Morgan voted Nay.

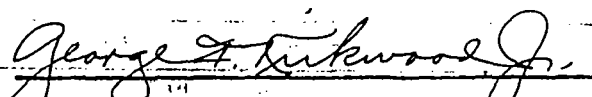
The Mayor advised council that a Mr. McFadden had requested permission to erect an ice house and pony keg stand on Camargo opposite Eben Bean's property. After discussion, Keys suggested this be referred to the Zoning and Planning Commission for their approval and all agreed.

Mr. Keethler then presented for discussion the matter of replacing the Building Inspector, whereupon Helfrich motioned the Mayor dismiss the present Inspector and appoint a new one subject to Council's approval. Keethler seconded and all voted Aye.

The Solicitor advised that it would be proper to have the title to the real estate pending purchase be examined, the cost of the same in the amount of \$50.00. Keys motioned the Solicitor be authorized to affect this examination and on roll call, Helfrich, Keys, Keethler, McConnaughey, McCullough and Morgan voted Aye.

McConnaughey motioned, seconded by Keethler to adjourn and unanimously carried.


H. Russell Brown, Clerk


Geo. F. Kirkwood, Jr., Mayor.

RESOLUTION No. 220

DETERMINING THE LOWEST AND BEST BID FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, ANIMAL OFFAL, ASHES AND TRASH FROM DWELLINGS, BUSINESS ESTABLISHMENTS, STREETS, ALLEYS, LANES, LANDS, SQUARES AND PUBLIC PLACES OF THE VILLAGE OF MADEIRA, OHIO.

WHEREAS, after advertising for 2 consecutive weeks in the Cincinnati Times-Star, a newspaper of general circulation in the Village of Madeira, Ohio for bids for collection, removal, and disposal of garbage, animal offal, ashes and trash from dwellings, business establishments, streets, alleys, lanes, lands, squares and public places of the said Village according to specifications on file with the Clerk of said Village, the Clerk received one bid only which was opened and read by him publicly in the Council chambers at 12:00 O'clock Noon on May 25th, 1946,

This one bid being from Procter L. Spaulding in the amount of \$350.00 per month or \$4200.00 per year for a two year period from July 1st, 1946 to July 1st, 1948.

AND WHEREAS, in the judgment of the Council, the bid of Procter L. Spaulding is the lowest and best bid received.

BE IT, THEREFORE, RESOLVED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, OHIO:

Section 1. That the said bid of Procter Spaulding for the collection, removal and disposal of garbage, animal offal, ashes and trash from dwellings, business establishments, streets, alleys, lanes, lands, squares and public places of the Village of Madeira, Ohio at a cost of \$350.00 per month be, and the same hereby is, accepted; and the Clerk is directed to so notify the said Procter Spaulding.

Section 2. That the Mayor and Clerk of the Village of Madeira, Ohio are hereby authorized and directed to execute a contract with the said Procter Spaulding for the collection, removal and disposal of garbage, animal offal, ashes and trash, from dwellings, business establishments, streets, alleys, lanes, lands, squares, and public places in the Village of Madeira, Ohio according to the said specifications on file with the Clerk; and that a bond in the sum of \$1,500.00 be furnished by said contractor to guarantee the performance of said contract.

PASSED: *Aug 8-1946*

H. Russell Brown
Clerk.

George A. Kirkwood, Jr.
Mayor.

EXHIBIT

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Madeira, Ohio - August 7, 1946
Council met in regular session - Mayor Kirkwood, presiding

The roll call showed all members present except Mr. Morgan, however he arrived during the early part of the meeting.

The minutes of the last regular meeting of July 3rd, and the special meeting of July 24th were read, upon motion by Keethler, seconded by Bean and all present voting Aye, were approved.

Pay Ordinance #385 was presented and read to council. Morgan motioned ordinance be passed and bills paid. Keys seconded and on roll call, Allgeier, Bean, Keethler, Keys, King and Morgan voted Aye.

The Mayor declared a short recess to enable the Finance committee to approve the vouchers.

The meeting resumed, the Mayor called for correspondence and Clerk presented to council a letter from Nathan Vigran relative to proposed vacation of Center Street extension. Inasmuch as Mr. Vigran was present in the Council chamber, he advised council the details regarding this matter.

Mrs. Vernon Scott who was also interested in this particular subject was also present and addressed council to present her views on the subject.

After the discussion which followed on the matter, the Mayor advised that he would call a special meeting of the Planning Commission for their consideration on the issue. He stated this meeting would be in the form of a hearing so that all interested parties may be heard.

There being no further correspondence, the Mayor called for reports of the Street Committee and Mr. Keethler advised that 371 hours had been spent during the previous month in labor of various projects. He advised that the heavy rains which had been experienced during the month had resulted in water backing up in a number of cellars in the basin of the Village. Inasmuch as there were a number of residents present who had come to register complaints due to this condition, the Mayor proceeded to present them to council. Heard during the discussion which followed were Mr. Fred Brandhorst, of Southside Avenue, Mr. Bartels, Camargo Rd., Mr. Chas. Miller, Osceola Drive, Mr. Albert H. and Mr. Foxbower, both of Miami Avenue. Each advised council of conditions as affects their own property and sufficed to say some of the complaints were registered in no uncertain terms. As a result of these numerous complaints, the Mayor addressed Council, referring particular to Section 52 of the Bldg. code and charged Mr. Keethler with the responsibility of immediately proceeding to have all down spouts checked to determine whether or not they were tapped into the sanitary sewer system. He advised that the violation was subject to \$100.00 in fines and he intended to use the power granted him in forcing compliance.

Mr. Jacob Foxbower requested that council permit him to erect a sidewalk in front of his property and asked that stakes be set for sidewalk and specifications be supplied for its construction. Mr. Keethler motioned the engineer be authorized to place stakes and

specifications be supplied for its construction. Mr. Keethler motioned the engineer be authorized to place stakes and supply specifications for sidewalk from the Methodist to the Presbyterian Church. All seconded motion and all voted Aye on roll call.

Mr. Morman of Juler Avenue presented to council a petition signed by 76% of the property owners of Juler Ave. requesting that a sidewalk, and gutter be installed on this street. He presented figures relative to the cost of this project after which a discussion followed. The Mayor entertained a motion that specifications for a sidewalk from Miami Ave. to the North End of Juler be prepared. Morgan motioned to this effect. Keethler seconded and on roll call all voted, "Aye".

Mr. Keethler reporting further advised that he had received a bid of \$3.00 per hour for cutting the weeds in the Village. He advised further that legal notice in accordance with requirements had been given to the weeds cut on all vacant lots and the charges for the same charge on the tax bills. He then motioned that the bid of \$3.00 per hour as submitted by Geo. Beekley be accepted, and the weeds cut. King seconded and on roll call, Allgeier, Bean, Keethler, Keys, King and Morgan voted Aye.

Resolution awarding the garbage contract to Procter Spaulding for a two year period from July 1st, 1946 was presented to council. Keys motioned that rules requiring reading of this Resolution on three separate dates be dispensed with and action taken. Allgeier, seconded and on roll call all voted Aye. Morgan then motioned that Resolution as presented be adopted. Bean seconded and on roll call Allgeier, Bean, Keethler, King and Morgan voted Aye, thereby adopting.

A Resolution to construct sidewalks on the East side of Miami Avenue from Naomi Avenue to Shawnee Run Rd., was presented and read to council. Morgan motioned that rules requiring reading of this Resolution be dispensed with and action taken. Morgan seconded and on roll call, Allgeier, Bean, Keethler, Keys, King and Morgan voted Aye. Keys motioned the Resolution presented be adopted. King seconded and on roll call, Allgeier, Bean, Keys, Keethler, King and Morgan voted Aye, thereby passing.

The advisability of repaving Miami & Camargo Roads with black top was discussed. Solicitor and Solicitor Stueve advised that he had checked into this matter with the County Commissioners and were advised that upon receiving a request to the effect that the expense of such project was more than the Village could stand that he felt the Commissioners would be amenable to pay 1/2 the cost of the project. When it was determined that no estimate could be placed on the cost of this job, Mr. Stueve advised that he would request the Engineer's office to furnish council with an estimate, Mayor stated that in the event council was interested after the estimate was received, he would call a special meeting to take action.

Mr. Allgeier presented the report of the safety committee which showed 11 warrants having been issued during the preceeding month. He requested that an expenditure of \$18.00 be allowed for having the

Police Dept.'s Badges replated.--Keethler motioned to this effect, seconded by King and on roll call, Allgeier, Bean, Keethler, Keys King and Morgan voted Aye, thereby passing.

The Mayor's report showed a total of \$89.30 having been coll in fines and costs was also presented, whereupon Keethler motioned seconded by Bean and all voted Aye that this report and that of the safety committee be filed.

Mr. Allgeier advised that he felt a new stop sign should be stalled at the corner of Shawnee Run Road and Miami, inasmuch as sign in its present location could not be seen due to parking conditions in this area. He was unable to advise council of the cost new signs as discussed at the previous meeting due to inability to contact the supplier during the previous month.

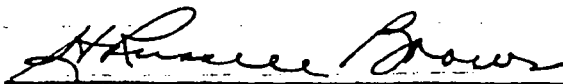
Mr. King reporting for the Public Utilities committee advised that of the Sanoma Avenue matter as recently discussed. He stated that it had been determined that the grade of this street had not been changed and that the County had advised further that the cost lowering the water line would have to be assessed against the property owners. He advised further that the matter was being referred to County Commissioners for their consideration.

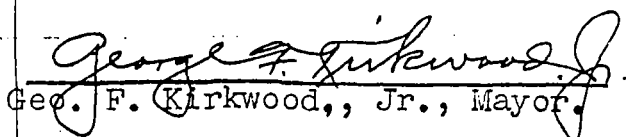
Mr. Morgan in bringing the report of the House Committee advised that his committee had not as yet reviewed the plans for additional alterations to the council building. Keys motioned that this committee be authorized to ask for bids if in their opinion they feel that the plans when reviewed are satisfactory. Keethler seconded this motion and on roll call all voted Aye.

The Clerk advised council that he had not as yet paid the taxes which are due in July inasmuch as it was his understanding that an application for free tax had been filed. Being advised the tax bill question covered taxes on the building for the last half of '45 which amount was deducted from the purchase price of the Building, Keethler motioned the taxes be paid. Keys seconded and on roll call Allgeier, Bean, Keethler, Keys, King and Morgan voted Aye.

Mr. Martin Sullivan addressed council relative to the condition of Center Street and was advised by Mr. Keethler that the weeds in the location would be cut and necessary repairs made.

Nothing further appearing before council, Keethler, motioned seconded by Allgeier to adjourn and all voted Aye.


H. Russell Brown, Clerk.


Geo. F. Kirkwood, Jr., Mayor.

6/16/48

RESOLUTION NO. 239

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DETERMINING THE LOWEST AND BEST BID FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, ANIMAL OFFAL, ASHES AND TRASH FROM DWELLINGS, BUSINESS ESTABLISHMENTS, STREETS, ALLEYS, LANES, LANDS, SQUARES AND PUBLIC PLACES OF THE VILLAGE OF MADEIRA, OHIO

WHEREAS, after advertising for two consecutive weeks in the Madeira Press, a newspaper of general circulation in the Village of Madeira, Ohio for bids for the Collection, removal, and disposal of garbage, animal offal, ashes and trash from dwellings, business establishments, streets, alleys, lanes, lands, squares and public places of the said Village according to specifications on file with the Clerk of said Village, the Clerk receiving two separate acceptable bids each of which was opened and read by him publicly in the Council Chambers at 1:00 O'clock noon, June 26, 1948

as follows: Procter L. Spaulding \$400.00 per month
Joseph Strawn, \$400.00 per month.

AND WHEREAS, in the judgement of the Council, the bid of Procter L. Spaulding is the best-bid received.

BE IT, THEREFORE, RESOLVED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, OHIO:

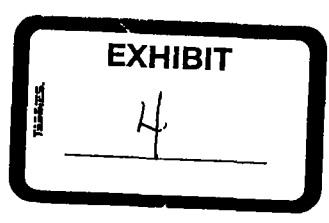
Section 1. That the said bid of Procter Spaulding for collection, removal and disposal of garbage, animal offal, and trash from dwellings, business establishments, streets, alleys, lanes, lands, squares and public places of the Village of Madeira, Ohio at the cost of \$400.00 per month be, and thereby is, accepted; and the Clerk is directed to so notify said Procter Spaulding.

Section 2. That the Mayor and Clerk of the Village of Madeira, Ohio are hereby authorized and directed to execute contract with the said Procter Spaulding for the Collection, removal and disposal of garbage, animal offal, ashes and trash from dwellings, business establishments, streets, alleys, lands, squares, and public places in the Village of Madeira, according to the said specification on file with the Clerk; a period of twenty-four (24) months and that a bond of \$1,500 be furnished by said contractor to guarantee the performance of said contract.

PASSED JUNE 16TH, 1948

W. Russell Brown
Mayor

ATTEST: J. Willard Davis
Clerk



June 16, 1948

Council met in regular session
Mayor Brown Presiding

Roll call showed all members of Council present with the exception of Mr. Strifler.

Minutes of the regular meeting of June 2nd were read and Mr. Swormstedt moved they be approved, Mr. Fischesser seconded and all members of Council voted aye.

RESOLUTION No. 239 DETERMINING THE LOWEST AND BEST BID FOR THE COLLECTION, REMOVAL AND DISPOSAL OF GARBAGE, ANIMAL OFFAL, ASHES AND TRASH FROM DWELLINGS, BUSINESS ESTABLISHMENTS, STREETS, ALLEYS, LANES, COURT YARDS, SQUARES AND PUBLIC PLACES OF THE VILLAGE OF MADEIRA was presented by the Clerk to Council. Mr. Schmidt Moved the resolution be passed, Mr. Swormstedt Seconded, and upon roll call, all members of Council voted aye.

Mr Schlagheck of 7821 Camargo Road, a resident of the Village asked Council to consider erecting NO PARKING signs in front of his residence so that his family would not be bothered by noise and confusion made by patrons of the tavern located opposite his home, as well as eliminate the traffic hazard caused by cars parking in such a manner so as to prevent him from properly entering his drive way. After considerable discussion, Mayor Brown asked the safety committee to work with the street committee on this matter and make recommendation.

Mayor Brown asked for committee reports-Finance-No Report. The Clerk was asked if arrangements had been made for a public hearing for the Budget, and Council was advised that this hearing would be held on Wednesday, July 7, 1948.

House Committee- No Report-Still working on a possible plan for a village garage.

Mr. King presented the safety report committee's recommendation that eight ^{SUNDAY} NO PARKING signs be erected on the east side of Miami Ave. from Shawnee Run Road to approximately the point where Highland Ave. rightaway meets Miami Ave. King also asked for an appropriation of \$25.00 to cover the cost of these signs. After discussion Fischesser Moved the recommendation be accepted and appropriation allowed, Schmidt seconded the motion, and upon roll call all members of Council voted aye..

Laws and Contracts committee's recommendation that the village go along with Cincinnati with their sewerage disposal plan. Mr. King moved that the solicitor prepare the necessary ordinance authorizing the Mayor and Clerk to sign the agreement.

Public Utilities-No report.

Street Committee-In Mr. Strifler's absence, Mr. Fischesser presented to Council estimates on costs of proposed storm sewer work necessary on Esther lane. However, due to several differences in figuring on this project the street committee was asked to have the contractors refigure their estimates all using the same basis. (Inset Parg. IV.)

Mayor Brown advised council that he had been contacted by a representative of Trinidad Asphalt Company with a request that Council consider his companies product in resurfacing the village streets.

Mr. Briggs of Dawson road advised Council that the ditch in front of his property had been cleaned out and proving satisfactory.

Building Inspector-No Report-Police Dept. No remarks. Their being no further business, the Mayor declared the meeting adjourned.

Lucille Brown Mayor

AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO A CONTRACT WITH MRS ESTELLA SPAULDING OF MADEIRA, OHIO, FOR THE PURPOSE OF DISPOSING OF WASTE PRODUCTS OF THE VILLAGE OF MADEIRA, OHIO

WHEREAS, the Village of Madeira, Ohio must make arrangements for the disposition of garbage and other waste products of the Village, and,

WHEREAS, Mrs Estella Spaulding of Madeira, Ohio has the properties and facilities for the receipt and disposition of garbage, trash and other waste products, and,

WHEREAS, Mrs Estella Spaulding and the officials of the Village are agreeable to the execution of a certain contract for the disposition of said garbage and waste products of the Village of Madeira, Ohio,

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF MADEIRA, HAMILTON COUNTY, OHIO:

Section 1: The Mayor and the Clerk of the Village of Madeira State of Ohio, be and they are hereby authorized to execute said contract with Mrs Estella Spaulding of Madeira, Ohio, for the disposition of garbage and waste products of said Village, for a period of twenty-four (24) months for a total consideration of Twelve thousand (\$12,000) Dollars, payable \$500.00 monthly; said contract to take effect and be in force from and after the first day of July, 1950

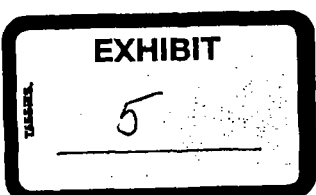
Section 2: This ordinance shall take effect from and after the earliest date allowed by law.

ADOPTED this 19th day of June 1950.

ATTEST:

James H. King
CLERK

W. Lawrence Brown
Mayor



The regular meeting of Council was called to order by Mayor Brown. All members of Council were present with the exception of Mr Rintamaa who was out of town.

Mr Bosse moved that the minutes of the last meeting be approved as read. Seconded by Perin.

Ordinance #426 for the collection of garbage and trash was read. Mr Day moved that the following amendments be added; 1, that the Mayor and the Clerk be authorized to sign, instead of just the Mayor; and 2, that the contract be changed from one year to a two year contract. All members of council voted aye.

Motion by Strifler and seconded by Schell that the rules requiring three separate readings of the ordinance be suspended and that it be passed in due form. Mr Day moved that the ordinance be adopted as amended. Seconded by Strifler. All members of Council voted aye.

There was no correspondence.

COMMITTEE REPORTS--

Finance Committee - no report.

Laws and Contracts- no report.

Public Relations Committee - Mr Day reported that his committee is studying the problem of annexing more territory to the Village.

Public Utilities - Mr Perin reported that the new street lights had been installed and moved in accordance with the recommendation of the committee.

Safety committee - Mr Schell reported that the committee had worked out a schedule using three deputies. He reported that Louis E. Rose had been employed as deputy at \$50 per month, with an increase of \$5.00 at the end of each four month period until he is receiving \$65.00. The safety committee asked for an appropriation of \$27.00 to purchase needed police uniform equipment. Motion by Bosse and seconded by Perin that the appropriation be granted. All members of Council voted aye.

Streets and Sewers committee - reported that they plan to send letters to prospective bidders on the resurfacing of Osceola and Iuka Avenues.

The next Council meeting will be held on Monday July 10.

There being no further business the Mayor declared the meeting adjourned.


Clerk

Mayor

8/6/51

ORDINANCE #495

AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO AN AGREEMENT MODIFYING THE GARBAGE COLLECTION CONTRACT WITH MRS SPAULDING DATED JULY 1, 1950, FOR THE DISPOSAL OF WASTE PRODUCTS FROM THE VILLAGE OF MADEIRA, OHIO.

WHEREAS, the Village of Madeira has entered into a Garbage Collection Contract with Mrs Spaulding, dated July 1, 1950., for the collection, removal and disposal of waste products from the Village of Madeira, Ohio, pursuant to Ord. 476 passed by the Council of the Village of Madeira on June 19, 1950; and

Whereas, the costs of such collection, removal and disposal of waste products have increased since the date of said Garbage Collection Contract, because of additional housing constructed within the territorial limits of the Village of Madeira, now expanded by annexation, and because of increased expenses of labor, equipment and material to accomplish such services; and

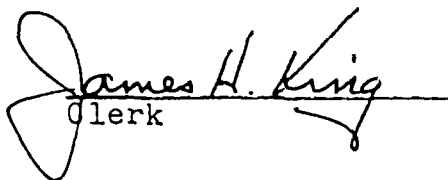
Whereas, Mrs Estella Spaulding and the officials of the Village of Madeira are agreeable to the execution of a certain modification of said Garbage Collection Contract to provide additional compensation in the sum of \$600.00, payable \$100.00 monthly, for the period beginning July 1, 1951, and ending December 31, 1951;

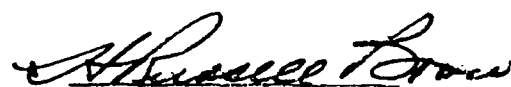
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, HAMILTON COUNTY, OHIO:

Sec. 1. The Mayor and the Clerk of the Village of Madeira are hereby authorized to execute said agreement modifying the Garbage Collection Contract dated July 1, 1950, with Mrs Estella Spaulding as to provide for additional compensation thereunder in the sum of One Hundred Dollars (\$600.00), payable One Hundred Dollars (\$100.00) monthly for the period beginning July 1, 1951 and ending December 31, 1951.

Sec. 2. This ordinance is declared to be an emergency measure for the immediate preservation of the public health in order to maintain uninterrupted and continuing service in the disposition of waste products from the Village of Madeira, And shall take effect from and after its passage.

PASSED : August 6, 1951


Clerk


MAYOR

The regular meeting of Council was called to order by Mayor Brown. All members of Council were present, except Mr. Schell. Motion by Robinson and seconded by Bosse that the minutes of the previous meeting be approved as read. All members of Council voted aye.

Pay ordinance #446 was read. Motion by Rintamaa and seconded by Patten that the Ord. be passed and all bills paid. All members of Council voted aye.

Ord. #493 for the increasing of Village officials salaries was read for the third time. Motion by Strifler and seconded by Robinson that the Ord. be passed. All members of Council voted aye.

Ord. #494 for the employment of a solicitor was read for the second time. Motion by Patten and seconded by Bosse that the Ord. be passed to the third reading. All members of Council voted aye.

Ord. #495 modifying the garbage collection contract with Mr. Spaulding was read. Motion by Rintamaa and seconded by Patten that the rules requiring three separate readings be dispensed with. All members of Council voted aye. (over)

Mr. George Gregg of the CG&E Co. informed Council that a reduction in electric rates had been granted to the Village. He related that the residential rate reduction would average 6.33% and for commercial users 10.5%. He went on and explained the contents of the proposed contract which was later referred to the Laws and Contract Committee and Public Utilities committee.

Mr. Allen Wegenhart represented several residents from Rita Lane inquiring of the progress toward finishing that street.

Mr. Henry Stumpe of Rita Lane inquired as to the size of the driveway to be used under driveway approaches. He was informed that it would be better handled after the catch basins etc. are installed this matter could be better handled.

Mr. Visintine of Morrison Pl appeared before Council inquiring as to the zoning of that neighborhood. He was informed that it was Business A. He stated that a planing mill in the Gallenstein warehouse was noisy and disturbs TV reception. He also asked when the curb and water problem on his street was going to be taken care of. Mr. Strifler informed him it would be taken care of when Maxfield finishes building.

Mr. Brunson representing Mrs. Spaulding related that they can ALWAYS PICK UP THE BRUSH placed with trash by individuals, as they do not have the room to haul and that they can not dump it at the place he is now dumping. This matter was referred to the Laws and Contract Committee.

Mr. Warren Parks of Indian Hill presented to Council plans for the construction of a disposal plant on the Toohey property adjoining B & B Stables which is in Madeira. The purpose of this plant is to catch waste from a few residents across the street, whose septic tanks are not performing properly. Mr. Baer and Mr. Beck opposed the idea because the proposed disposal plant would be near their Stables might not prove efficient. They suggested a larger system to be

erected to take care of all the residents on Shawnee Run in vicinity.

Mr Dunham of the State Board of Health described the plant in detail.

Mr Toohey stated that he wanted to be a good neighbor and did not want to do anything that could hinder the B&B Stable property.

After much discussion this matter was referred to the Public Utilities committee to arrange a meeting with Mr Parks and all those involved.

Finance Committee-no report.

Laws and Contract Committee- Referred to the solicitor for a report on the matter of the Village agreeing with the Hamilton County on a garbage and waste disposal plant.

Public Relations - no report.

Public Utilities - no report.

Safety committee- The Mayor's report showed a total of \$166.00 collected in fines and costs, and \$24.50 collected in solicitors' permits. Motion by Strifler and second by Rintamaa that the report be accepted and filed. All members of Council voted aye.

The safety committee asked for an appropriation of \$42.00 to purchase 2 - 6.75-15 tires for the Cruiser. Motion by Strifler and seconded by Rintamaa that the appropriation be granted. All members of Council voted aye.

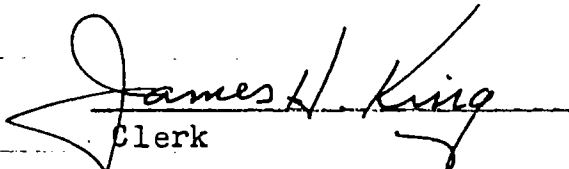
Recommendation by the Safety committee that appropriation of \$45.00 be granted to purchase a .38 cal. revolver for use by Bowman. Motion by Strifler and second by Patten that the appropriation be granted. All members of Council voted aye.

Streets and sewers committee-Mr Strifler reported on work planned in July and asked for an appropriation of \$137.00 to be used for work planned for the month of August.

The Mayor read a letter from John Menzies of Sanoma Ave., thanking Council for the prompt service of installing "watch for children" sign.

Voucher #8463 was presented and approved by Strifler and seconded by Bosse. All members of Council voted aye.

Meeting adjourned.


Clerk

Mayor

** Motion by Robinson and seconded by Bosse that the Ordinance be adopted in due form. All members of Council. Voted aye.

AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO AN AGREEMENT MODIFYING THE GARBAGE COLLECTION CONTRACT WITH MRS. ESTELLA SPAULDING DATED JULY 1, 1950, FOR THE DISPOSING OF WASTE PRODUCTS FROM THE VILLAGE OF MADEIRA, OHIO.

WHEREAS, the Village of Madeira has entered into a Garbage Collection Contract with Mrs. Estella Spaulding, dated July 1, 1950, for the collection, removal and disposal of waste products from the Village of Madeira, Ohio, pursuant to Ordinance No. 476, passed by the Council of the Village of Madeira on June 19, 1950; and

WHEREAS, the costs of such collection, removal and disposal of waste products have increased since the date of said Garbage Collection Contract, because of additional housing constructed within the territorial limits of the Village of Madeira, now expanded by annexation, and because of increased expenses of labor, equipment and material to accomplish such services; and

Whereas, Mrs. Estella Spaulding and the officials of the Village are agreeable to the execution of a certain modification of said Garbage Collection Contract to provide additional compensation in the sum of \$1200.00, payable \$200.00 monthly, for the period beginning January 1, 1952, and ending June 30, 1952;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, HAMILTON COUNTY, OHIO:

Section 1. The Mayor and the Clerk of the Village of Madeira be and hereby are, authorized to execute said agreement modifying the Garbage Collection Contract dated July 1, 1950, with Mrs. Estella Spaulding, so as to provide for additional compensation thereunder in the amount of Twelve Hundred Dollars (\$1200.00), payable Two Hundred Dollars (\$200.00) monthly, for the period beginning January 1, 1952, and ending June 30, 1952.

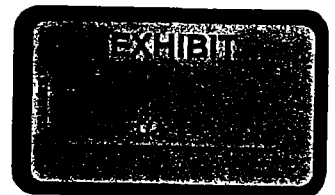
Section 2. This ordinance is declared to be an emergency measure for the immediate preservation of the public health in order to insure uninterrupted and continuing service in the disposition of waste products from the Village of Madeira, and shall take effect forthwith.

PASSED: March 17, 1952

James H. King
Mayor

ATTEST:

Joyce M. Shirley
Clerk



The regular meeting of council was called to order by Mayor King. All members of council answered to roll call. Mr. Patten moved that the minutes of March 3 be approved as read. The motion was seconded by Bosse; all members of council voted aye.

Pay Ordinance #455 was read and the motion was made by Mr. Bosse, seconded by Robinson that all bills be paid with the exception of voucher #8778 to the Madeira & Indian Hill Fire Co. until an advance payment was received from the county office. All members voted aye.

Mr. Schell motioned that voucher #8732 to the Village of Indian Hill be paid. Motion seconded by Bosse; all members of council voted aye.

Ordinance #511, Authorizing the Mayor and clerk to enter into an agreement modifying the garbage collection contract was read. Motion was made by Mr. Patten that the ordinance be adopted, seconded by Bosse. All members of council voted aye except Mr. Robinson who voted nay.

COMMITTEE REPORTS:

Finance: No report.

Laws & Contracts: No report.

Public Relations: ~~XXXXXXXXXX~~. An anonymous letter was read to council concerning the equipment and trucks parked along Goff Terrace by Mr. Ancona. The letter was referred to the Public Relations Committee for further study. Mr. Britten reported that he had contacted Mr. Madden about the Civilian Defense Program and that due to non-participation of other villages the program was to be dropped.

House Committee: No report.

Streets & Sewers: Recommended that 95' of overflow sewer pipe 8" in diameter be installed in the man hole at Maple & Euclid at a cost of \$310. to correct the flooding condition in that area. The contract was to be awarded to Wm. Wehrmann & Son. Mr. Patten made the motion the recommendation be accepted, seconded by Bosse. All members of council voted aye. A letter was read from the Fifth Third Bank to the FHA and another letter from the FHA to the Village concerning the escrow agreement with Thomas Bergen. The letters were referred to the street committee and the street commissioner to see if the work on that street could not be rushed a little bit. Walter G. Meyer of Maple Avenue appeared before Council concerning the back water in the basement of the Margine Building on Miami Avenue. Mr. Meyer was informed about the proposed sewer plans for Madeira.

Public Utilities: No report.

Safety : Reported 2066 miles patrolled by the cruiser. Mr. Miller reported that the holster had arrived for the gun, and the committee was now in the process of making a check on motor

scooter licenses.

Mr. Niederhauser, manager of the apartments owned by Mr. Nordloh on Miami Avenue, appeared before council stating that Mr. Spaulding's trucks were by-passing the apartments in the garbage trash collections. Mr. Niederhauser said he had talked with Mrs. Spaulding and she had requested that he pay her a weekly fee for collecting the garbage for each building. The matter was referred to Mr. Patten's committee for further study. Mr. Patten said he would contact Mr. Niederhauser later.

A letter was read to council from Leroux & Weber, att. at 1 stating that they would like to purchase the property owned by Village along Railroad Avenue for a client who was interested in putting a business there. Since the property is a natural right-of-way and could also be used for off-street parking, Mr. Schell made the motion and Mr. Britten seconded that the Village retain the property and that the clerk be instructed to write Mr. Weber as to the Village's decision. All members of council voted aye.

A letter was received from Mrs. Eben Bean requesting information concerning the shop being erected across from her property on Camargo Road. Mr. Schell made the motion and Robinson seconded that the clerk write Mrs. Bean explaining the nature of the business, the number of employees and other information about the business and also explain the nature of the building code to her. All members of council voted aye.

Three letters from Jack Fuller were read giving Mr. Fuller's views on the critical and potentially critical storm sewer area. After hearing the letters, council agreed to hold a session with Mr. Fuller the following Wednesday evening in order to discuss the plans more in detail.

Mayor King brought to council's attention the fact that the Village is in need of the engineer's plats and plans on Rita Lane & Vermus Drive so that those 2 streets can be completed for dedication. Mr. Miller made the motion and it was seconded by Patten that the clerk write Mr. Bergen requesting the plats show all the utility taps and other needed information. All members of council voted aye.

There being no further business, the meeting was adjourned.

James H. King
Mayor

Lance M. Shiley
Clerk

June 25 1952

A special meeting of council was called to order by Mayor King. All members of council was present.

The bids for garbage and rubbish removal from the village were read to council by Mr. Schroeder.

A bid of \$12887.68 per year or \$25775.36 for two years was submitted by Estella Spaulding.

A bid of \$12000.00 per year or \$24,000.00 for a two year contract was submitted by Louis Moser.

A recommendation by the chair of the Law & Contracts committee, Mr. Schroeder, was that the Louis Moser bid be accepted. In form of a motion by Mr. Schroeder moved the bid be accepted. Mr. Schell seconded. All members of



MANUFACTURING CO.

8119 CAMARGO ROAD
MADEIRA, OHIO

CUSTOMER'S
ORDER NO. & DATE
REC. NO.
CONTRACT NO.

REFER TO
INVOICE NO.
INVOICE DATE
VENDOR'S NOS.

SOLD
TO

SHIPPED TO
AND
DESTINATION

DATE SHIPPED

CAR INITIALS AND NO.
HOW SHIPPED AND
ROUTE
TERMS

FROM
F. O. B.

PREPAID OR COLLECT?

FOR CUSTOMER'S USE ON

REGISTER NO.	VOUCHER NO.
F. O. B. CHECKED	
TERMS APPROVED	PRI
CALCULATIONS CHECKED	
TRANSPORTATION	
FREIGHT BILL NO.	AMOUNT
MATERIAL RECEIVED	
DATE	SIGNATURE
SATISFACTORY AND APPROVED	
ADJUSTMENTS	
ACCOUNTING DISTRIBUTION	
AUDITED	FINAL APPROV.

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
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Noted 'Aye'.

*Due to the emergency of the contract
a Motion was made by Mr. Schell and
seconded by Bossee that three readings
of the ordinance be dispensed. All members
of council voted 'aye'.*

*Motion was made by Schell that
ordinance be adopted as read. Second by
Bossee. All members of council voted 'aye'.
Meeting was adjourned by Mayor King*

Acting Clerk

R. Robinson

ORDINANCE NO. 518

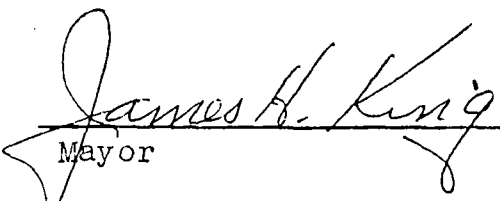
AUTHORIZING THE MAYOR AND THE CLERK TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR THE COLLECTION, REMOVAL AND DISPOSAL OF WASTE PRODUCTS FROM THE VILLAGE OF MADEIRA, OHIO.

Be it ordained by the Council of the village of Madeira, State of Ohio:

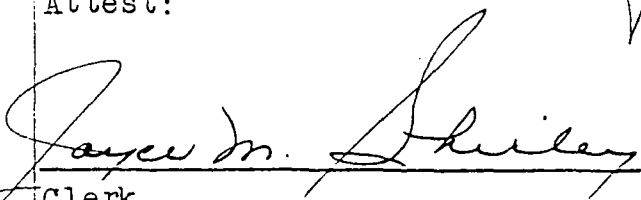
Section 1. The Mayor and the clerk of the Village of Madeira, Ohio, are duly authorized to execute a contract with the lowest and best bidder for the collection, removal and disposal of waste products from the Village of Madeira in accordance with the specifications therefor on file with the Village Clerk, for a period of two years commencing July 1, 1952. Said contract shall be substantially in accord with the contract read to Council and filed with the village Clerk.

Section 2. This ordinance is declared to be an emergency measure for the immediate preservation of the public health in order to insure uninterrupted and continuing service in the disposition of waste products from the Village of Madeira, and shall take effect forthwith.

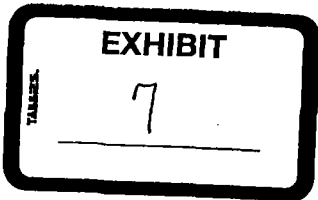
Adopted: June 25, 1952.


Mayor

Attest:


Clerk

Published in Madeira Free Star on July 17th and 24th.



7/19/54
64

2

AUTHORIZING THE MAYOR AND THE CLERK OF THE VILLAGE OF MADEIRA, OHIO, TO ENTER INTO A WRITTEN AGREEMENT WITH LOUIS MOSER FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM THE SAID VILLAGE.

Whereas, it is necessary that garbage and waste product collection, removal and disposal service be had for the people and property of the Village of Madeira, Ohio, and the existing contract for said service expires July 31, 1954 and

Whereas, said Village has heretofore duly advertised for sealed bids for such service in accordance with specifications on file with the Clerk of said Village and

Whereas, the such sealed bid submitted by Louis Moser has been duly found to be and duly designated by the Council of said Village the lowest and best bid so submitted; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, STATE OF OHIO:

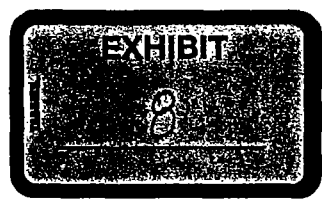
Section 1. The Mayor and the Clerk of the Village of Madeira, Ohio, are hereby authorized to enter into a contract with the said Louis Moser for the collection, removal, and disposal of garbage and waste products from the Village of Madeira, Ohio, in accordance with the specifications therefor on file with the Clerk of said Village, for a period of two years commencing August 1, 1954, for the sum of Fourteen Thousand Four Hundred Dollars (\$14,400.00) per annum, payable in equal semi-monthly or monthly installments.

Said contract shall provide for termination upon ninety days' prior written notice by either party, and shall prohibit assignment or transfer by Louis Moser without the prior written consent thereto of the Council of said Village.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, health, and welfare, and it shall therefore go into and be in force immediately and forthwith upon its passage. The reason for the emergency is the immediate necessity of protecting said Village and its inhabitants from the hazards of accumulated garbage and waste products, and the immediate necessity of assuring said Village and inhabitants the reasonably prompt and regular collection, removal, and disposal of such matter.

Adopted this 19th day of July, 1954.

ATTEST:



Sulo O. Rintamaa

I, Clerk of the Village of Madeira, Ohio, do hereby certify that the foregoing ordinance was duly adopted by the Council of the Village of Madeira, Ohio, on the 19th day of July, 1954.

H. M. Rose
Mayor of the Village of Madeira,
State of Ohio, do hereby certify
that public notice of the foregoing
ordinance was duly made
in the Mesa & News on
July 23 and July 30
1954.
Sulo O. Rintamaa
Clerk of Village of

The regular meeting of Council was called to order by Mayor Bosse, with all members present.

The minutes of the previous meeting were read and approved on motion by Jackson, seconded by Murphy.

Ordinance #566 was given its 3rd and final reading. On motion by Smith, seconded by Schroeder the ordinance was passed, with all voting aye.

The following addressed Council:

Frank Lukey, 7340 Osceola, appeared in behalf of American Legion Post #412 to request a permit for their festival August 1 at Dawson & Miami and also permission for a parade July 31 and 4 banners over the streets. He was told to apply in writing to the Mayor, who would then handle these matters.

Homer Fille, 7817 Locust Lane, again asked about procedures for processing his request on exceptions to setback provisions in the erection of a garage. He was told action is in process to set up the procedure and he will be informed when it is ready.

Kenneth Weed, of Miami Rd. appeared again about the request on restrict truck traffic on Miami. The Solicitor told of his investigation through Solicitors of Lockland and Wyoming and Upper Arlington. Also he reported on the PUCO letter in our files from the previous investigation of this problem. The solicitor's recommendation to Council is that in face of all the evidence, council should not attempt to restrict or prohibit truck traffic on Miami Road.

Committee reports:

Finance - Public Hearing on the budget for 1955 will be held at 8PM Monday, July 12. A special meeting of Council will be held afterward to approve the budget.

Public Utilities - No report

Public Relations - A letter of sympathy to Mrs. Todd of Montgomery from Mayor Bosse was read.

Safety - Fines & Costs of Mayor's Court for June were reported at \$57.00..

The Safety Comm. recommends that no action be taken now on the request for a traffic light at Miami & Euclid, in lieu of later action that may be taken to regulate traffic on Miami Ave.

Laws & Contracts - The Comm. recommended approval of a 1 month contract from July 1 to July 31, 1954 for \$1000 for trash & garbage collection by Louis Moser. Smith moved and Murphy seconded the recommendation be adopted. All voted aye.

The comm. recommended that the ordinance on minimum pay rate for labor for the Village be revised to read a maximum of \$1.75 per hour. Floor moved and Jackson seconded the recommendation be adopted. All voted aye.

The Comm then read the 3 bids submitted for the 2 yr garbage collection contract from Aug. 1, 1954 to July 31, 1956. They were as follows:

Louis Moser	\$14,400.00 per year
Estella Spaulding	15,500.00 per year less \$40. per mnth when the incinerator starts.
Troy Howell	16,300.00 per year

The Moser & Spaulding bids stated the Village was to pay incineration costs directly.

Smith moved and Murphy seconded the contract be awarded to Moser at \$14,400.00 per year. The motion lost with 3 votes aye, 2 votes naye, and 1 not voting.

After further discussion and clarification of the problem by the Mayor & Solicitor, Smith again moved and Murphy seconded that the contract be awarded to Louis Moser at \$14,400.00 per year, and the Solicitor be instructed to draw up the necessary ordinance & contract. The motion carried with 5 ayes, and 1 naye.

The Mayor asked for an approp. not to exceed \$40.00 for warrant forms and a cash book for the Mayor's office. On motion by Britten, seconded by Jackson the approp. was granted with all voting aye.

The Clerk was asked to notify J. B. Long & Eugene Maxfield of their responsibility for cutting weeds on their property on Camargo Rd. (DeBenis property).

Street Comm - The committee reported that Gallenstien Bros., Inc. has completed some of the items, but others are yet to be done, before a release can be given on the performance bond of St. Paul Mercury Indemnity Corp. on Galridge #1.

Mr. Floer reported Amberly Village has recently increased inspection fees on heating installations to \$10.00. He asked if Madeira has any charge for heating installation permit. He was told the Village had no such provisions at present.

Floer moved and Murphy seconded that Lee Firth, of Oakley be employed to draw up plans and specifications for a Village garage-service building on Railroad Ave. All voted aye.

House Comm - No report

Special Sewer Comm - Floer moved and Britten seconded that the bid of Trojan Tool Equip. Co. for \$1219.15 be accepted for sewer cleaning tools and equipment as per our advertisement. All voted aye.

Ordinance #569 - "Amending and repealing Sec. 46 of Ord. 310 of the Village of Madeira, Ohio, Pertaining to the Village Zoning Board of Appeals" was read. Smith moved and Floer seconded that the rule of Sec. 731.17 of Ohio Revised Code requiring that this ordinance be read on 3 different days be dispensed with. All voted aye. The ordinance was then passed on motion by Floer, seconded by Murphy, with all voting aye.

There being no further business the meeting adjourned.

Sulo O. Rutan
Clerk

A. M. Bass
Mayor

ORDINANCE NO. 610

AUTHORIZING THE MAYOR AND THE CLERK OF THE VILLAGE OF MADEIRA, OHIO, TO ENTER INTO A WRITTEN AGREEMENT WITH ESTELLA SPAULDING FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM THE SAID VILLAGE.

Whereas, it is necessary that garbage and waste product collection, removal, and disposal service be had for the people and property of the Village of Madeira, Ohio, and the existing contract for said service expires by termination notice of the Contractor effective December 15, 1955, and

Whereas, said Village has heretofore duly advertised for sealed bids for such service in accordance with specifications on file with the Clerk of said Village and

Whereas, the such sealed bid submitted by Estella Spaulding has been duly found to be and duly designated by the Council of said Village the lowest and best bid so submitted: now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, STATE OF OHIO:

Section 1. The Mayor and the Clerk of the Village of Madeira, Ohio, are hereby authorized to enter into a contract with the said Estella Spaulding for the collection, removal, and disposal of garbage and waste products from the Village of Madeira, Ohio, in accordance with the specifications therefor on file with the Clerk of said Village, for a period of two years commencing December 12, 1955, for the sum of Seventeen Thousand Five Hundred Dollars (\$17,500.00) per annum, payable in equal semi-monthly or monthly installments.

Said contract shall provide for termination upon ninety days' prior written notice by either party, and shall prohibit assignment or transfer by Estella Spaulding without the prior written consent thereto of the Council of said Village. Said contract shall further provide that in the event said Village so directs in writing at any time during the life of the contract, Estella Spaulding shall from and after the date of such written directive cause all such matter to be incinerated at such facilities or plant for incineration as may within the life of the contract be constructed by the Board of County Commissioners of Hamilton County, Ohio, that the contract price for the services of Estella Spaulding thereunder shall in such event be increased by Seven Thousand Four Hundred Eighty-Eight Dollars (\$7,488.00) per annum, pro rated over the balance of the term of the contract remaining after the issuance of such directive, and that Estella Spaulding shall give said Village credit against the contract price for any and all sums which said Village may at its option pay directly to said County for such incineration.

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, health and welfare, and it shall therefore go into and be in force immediately and

EXHIBIT

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and forthwith upon its passage. The reason for the emergency is the immediate necessity of protecting said Village and its inhabitants from the hazards of accumulated garbage and waste products, and the immediate necessity of assuring said Village and inhabitants of the reasonably prompt and regular collection, removal, and disposal of such matter.

Adopted this 21st day of November, 1955.

H. M. Basse

Mayor

ATTEST:

Sulo O. Rintama

Clerk

12/2
12/9

I, Clerk of the Village of Madeira,
State of Ohio, do hereby certify
that publication of the foregoing
ordinance/resolution was duly made
in the messenger newspaper on
Dec 2 and Dec 9 1955.

Sulo O. Rintama
Clerk of Village of Madeira

The regular meeting of Council was called to order by Mayor Bosse, with all members present. The minutes of the November 7 meeting were read and approved.

Pay Ordinance #502 was read and all bills ordered paid except Voucher A201 -Stefco Mfg. Co., \$1600.00, on motion of Jackson, seconded by Britten, with all voting aye.

After some discussion of hours of work per day for the street laborers, the Street Committee was asked to study the matter further, and make some recommendations at the next meeting.

Ordinances:

Ordinance #610 "Authorizing the Mayor and the Clerk of the Village of Madeira, Ohio, to Enter into a Written Agreement With Estella Spaulding for the Collection, Removal, and Disposal of Garbage and Waste Products from the Said Village", was read. Murphy moved and Smith seconded that the rule of Sec. 731.17 of Ohio Revised Code requiring this ordinance be read on 3 different days be dispensed with. All voted aye. The ordinance was passed on motion of Smith seconded by Murphy, with all voting aye.

Ordinance #611 "Authorizing the Mayor and the Clerk of the Village of Madeira, Ohio, to enter into a Written Agreement with the Cincinnati and Suburban Bell Telephone Company for use of Utility Poles in Connection with Traffic Signals." was read. Britten moved and Jackson seconded that the rule of the Ohio Revised Code Sec. 731.17 be dispensed with and all voted aye. The ordinance was passed with motion by Jackson and second by Smith. All voted aye.

Ordinance #612 "Increasing Compensation of Chief of Police; Repealing Section 1 of Ordinance No. 542, and Amending and Repealing Section 1 of Ordinance No. 607, of the Village of Madeira, Ohio." was read. Britten moved and Schroeder seconded the rule of Sec. 731.17 of Ohio Revised Code requiring this ordinance be read on 3 different days be dispensed with. All voted aye. The ordinance was passed on motion of Britten, seconded by Smith with all voting aye.

Correspondence:

Philip J. Schneider, in behalf of the Madeira & Indian Hill Fire Co. wrote to suggest terms and action on next year's fire protection contract. The problem was referred to Laws & Contracts to confer with Mr. Schneider & report back a recommendation.

Visitors:

Carl Byrum, 7431 Mardel Dr. inquired about the possibility of Village Acceptance and dedication of Mardel Dr. The Solicitor explained the procedures involved.

Mr. Hood, 7461 Shewango Way discussed water drainage problems at his home, with 3" of water in his garage recently. Mr. Glazier, Village Engineer-Inspector, recommended dye tests be made, and also a thorough investigation on the sewer line between Mardel and the intersection of Euclid-Maple. Murphy further urged that down spout drainage be checked, and that obstructions be cleaned out.

Committee reports:

Safety & Service - The Committee asked for and was granted an appropriation of \$80.00 for 5 pr. of handcuffs and 5 handcuff pouches, on motion of Britten-Smith, with all voting aye.

An approp. of \$30.00 for 5 traffic control signs (4-traffic light ahead and 1 speed check sign) was granted on motion of Britten - Smith with all voting aye.

Jackson reported that the Businessmen want to decorate the business area for the holiday season, but requested Council to assume the electric charges involved - 23 meters - 8 -40 watt bulbs. Floor moved and Schroeder seconded that the Village pay for the current consumed by the decorations, and all voted aye.

Laws & Contracts - no report

Street - A recommendation that all the remaining streets in Sec. B. Galridge #3 be accepted was adopted on motion of Schroeder - Jackson all voting aye. Mr. Glazier was instructed to check the streets and the Solicitor was asked to prepare the necessary ordinance.

The Safety Comm. was asked to determine the street name signs necessary for this area.

Mr. Glazier recommended that the reconstruction of the N E corner of Camargo-Miami be put off until spring.

Mr. Glazier recommended that the new Service Bldg. construction be approved as satisfactory, and the building accepted. Some caulking and a door plate are yet to be installed.

Murphy moved and Floor seconded that outside engineers be employed to check the condition of the Fire Station in Madeira, at a fee not to exceed \$50.00. All voted aye.


Public Relations - no report

Public Utilities - The Dawson-Maple-Southside light will be installed in about 3 weeks.

Meeting adjourned



Clerk Pro-tem



Mayor

AUTHORIZING THE ~~MAYOR~~ AND THE CLERK OF THE VILLAGE OF MADEIRA, OHIO, TO ENTER INTO A WRITTEN AGREEMENT WITH ESTELLA SPAULDING FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM SAID VILLAGE.

WHEREAS, it is necessary that garbage and waste products collection, removal, and disposal service be had for the people and property of the Village of Madeira, Ohio, and the existing contract for said service expires December 15, 1957, and,

WHEREAS, said Village has heretofore duly advertised for sealed bids for such service in accordance with specifications on file with the Clerk of said Village, and,

WHEREAS, the such sealed bid submitted by Estella Spaulding has been duly found to be and duly designated by the Council of said Village the lowest and best bid so submitted; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, STATE OF OHIO:

Section 1. The Mayor and the Clerk of said Village of Madeira, Ohio, are hereby authorized to execute and deliver on behalf of said Village a contract for such collection, removal, and disposal of garbage and waste products reading substantially as follows

CONTRACT

This agreement entered into as of this day of December, 1957, by and between the Village of Madeira, Ohio, through its Mayor and Clerk thereunto duly authorized by the Council of said Village, hereinafter referred to as the Village, and Estella Spaulding, hereinafter referred to as the Contractor, witnesseth that, each in consideration of the agreement hereto of the other, and

WHEREAS, said Village has heretofore duly advertised for sealed bids for the collection, removal, and disposal of garbage and waste products from said Village in accordance with specifications on file with the Clerk of said Village, and

WHEREAS, the sealed bid submitted by the Contractor has been duly found to be and duly designated by said Council the lowest and best bid so submitted, now, therefore:

EXHIBIT

10

The Contractor hereby agrees:

1. To collect, remove, and dispose of the garbage and waste products of the Village and its inhabitants and within its territorial limits, as said inhabitants may at any time during the life of this contract number, and as such limits may at any such time be defined, for the period of two years commencing December 15, 1957, in accordance with the specifications therefor on file with the Clerk of the Village, which specifications are hereby incorporated in and made a part of this contract as completely as though herein fully set forth and repeated;
2. Not to assign or transfer this contract without the prior written consent thereto of the Village.

The Village hereby agrees:

1. To pay the Contractor the sum of Forty-six Thousand Dollars (\$46,000.00) payable in equal semi-monthly installments over the entire two year period of this contract, upon proper vouchers duly submitted by the Contractor.

The Village and the Contractor hereby further agree:

1. That this contract is subject to termination upon ninety days' prior written notice by either of them to the other.
2. That if the number of families and business establishments to be served by the Contractor within the Village increases, by reason of annexation or new building development, during the life of the contract, by ninety (90) or more, the contract price shall be increased at the rate of \$1.50 per month per such family and establishment served in excess of such ninety new or additional units during that period of this contract remaining after such increase occurs or is reached.
3. That if the hourly rates of the wages paid by the Contractor to her truck drivers and labor-

ers engaged on the work called for by this contract change during the life of this contract by more than ten percent (10%) of their current such rates, which the Contractor hereby represents are \$1.50 for laborers and \$1.625 for drivers, that portion of the contract price payable for each full calendar month during which such difference exists shall be adjusted upward or downward, as the case may be, by the actual or absolute amounts of any such excesses (beyond 10% above or below) applicable to work under this contract (i.e., chargeable or deductible only upon such proportion of the total work time of such employees as is expended on Village work), provided that if such rates paid by the Contractor increase above union scale for such workers in this county, union scale shall be used in lieu of actual rates, as long as the latter are greater, for purposes of computing any price increases allowable under this paragraph as related to said current rates, and in such event, likewise, only the excess above 110% of said current rates shall be chargeable.

4. That if the dumping rental charge paid by the Contractor for the disposal of Village matter changes during the life of this contract by more than 10% of the such rental paid by the Contractor in good faith during the month of December, 1957, at the Contractor's present dumping site in or near Morrow, Ohio, that portion of the contract price payable for each full calendar month during which such difference exists shall be adjusted upward or downward, as the case may be, by the actual or absolute amounts of any such excesses; provided that if the dumping rental charge paid by the Contractor so increases by more than 10% of such December rental, that the Village is able to procure for the Contractor an alternative dumping site not more distant than the Morrow site aforementioned, and that the rental at such alternative site (as increased or reduced by any difference in the cost of travelling or hauling thereto, in terms of labor time, gasoline, etc., at rates not exceeding those existing at the date of this contract) is less

than the increased rental otherwise applicable, the Village may direct the Contractor to dispose of Village matter at such alternative site and the Contractor shall promptly comply with such direction, and the Village may under such conditions subsequently direct the Contractor to dump at other sites from time to time; and provided further that in the event the Village so directs in writing, the Contractor shall from and after the date of such written directive cause all such matter or portions thereof as may be described in such directive to be incinerated and/or otherwise disposed of at such place, facilities, and/or plant for incineration and/or dumping as may within the life of this contract be constructed and/or arranged or made available by the Board of County Commissioners of Hamilton County, Ohio, that for the purposes of this contract incineration shall be regarded as equivalent to dumping and charges made by the County for incineration shall be deemed the same in character as dumping rental charges, and that if any such charges for incineration shall exceed 10% of said December rental, they shall be treated as reduced by any lesser cost of hauling (as outlined above).

5. That is the present union wage scale for truck repair garage mechanics in this county changes during the life of this contract by more than 10%, that portion of the contract price payable for each full calendar month during which such difference exists shall be adjusted upward or downward, as the case may be, by the product of the actual or absolute amount of the percentage of such change (less 10%) multiplied against that proportion (not greater than forty percent) of the total labor charges rendered against the Contractor (and paid by her) during such month by truck repair garages for repairs made during such month to the Contractor's truck and load-packers used by the Contractor on work under this contract as is the same as the proportion of the total operating time of said truck and load-packers expended in work under this contract during such month, provided that such repairs are hereby defined

to include only such mechanical attention as may be required by the break-down of such equipment or the essential operating parts thereof resulting from normal wear and to exclude maintenance servicing, repairs of damage or break-downs caused accidentally or intentionally, by the Contractor or others, and repairs of break-downs attributable to the Contractor's failure to cause such equipment to receive proper maintenance and servicing.

6. That the Contractor hereby represents that she does not know of any plans or intentions on the part of any of her said drivers and employees, or the owner of said Morrow dumping site, to ask for or charge increased wages, or an increased dumping rental, at any now imminent time.

IN WITNESS WHEREOF, the parties hereto have executed this contract in duplicate this same day by the signatures hereunder appearing.

Estella Spaulding

Village of Madeira, Ohio

By _____
Mayor

Clerk

I, Clerk of the Village of Madeira, State of Ohio, do hereby certify that publication of the foregoing ordinance/resolution of the Village of Madeira in the Star newspaper on Dec 19 and Dec 26, 1957.

Sub O. Rintamaa
Clerk of Village of Madeira

Section 2. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, health, and welfare, and it shall therefore go into and be in full force and effect immediately and forthwith upon its passage. The reason for the emergency is the immediate necessity of protecting said Village and its inhabitants from hazards of accumulated garbage and waste products, and the immediate necessity of assuring said Village and inhabitants of reasonably prompt and regular collection, removal, and disposal of such matter.

Adopted this 2nd day of December, 1957.

H. M. Borse
Mayor

ATTEST:

Sub O. Rintamaa
Clerk

The regular meeting of Council was called to order by the Mayor, with all members present.

The meeting was opened with prayer, led by Councilman Britten.

Minutes of the November 18 meeting were presented, and approved after 2 corrections.

Ordinance #655 "Regulating the Control of Dogs" was given the 3rd reading. After considerable discussion on this question, Smith moved, and Britten seconded that the ordinance be referred back to committee for clarification, and for the Solicitor's advice on passage procedure (after any changes in wording). All voted aye.

Ordinance #659 "Authorizing the Mayor and the Clerk of the Village of Madeira, Ohio, to Enter Into a Written Agreement with Estella Spaulding for the Collection, Removal, and Disposal of Garbage and Waste Products From Said Village" was read. The Laws & Contracts Comm. recommended adoption of this ordinance. The rule of Sec. 731.17 O.R.C. requiring reading of this ordinance on 3 different days was suspended on motion of Britten, Smith all 6 voting aye. The ordinance was passed on motion of Britten-Smith, all 6 voting aye.

Ordinance #660 "Authorizing the Purchase of New Police Cruiser and Accessory Equipment, and sale of Old Vehicle in Conjunction Therewith" was read. The Safety Comm. recommended acceptance of the bid of Thompson Chevrolet, Inc. through this ordinance. The rule of Sec 731.17 O.R.C., requiring reading of this ordinance on 3 different days, was suspended on motion of Patten-Thornton, all 6 voting aye.

Correspondence:

The Board of Elections certificates of results of election on the sewer bond issue and the tax levy were read, showing the following results:

	For	Against	REs
Sewer Bond Issue	562	1637	defe
Tax Levy	1239	952	defe (need

A copy was read of the notice of the special election to be held Feb. 14, 1958 on the question of levying a tax, in excess of the 10 mill limitation, for current expenses. The levy, consists a renewal of an existing 3 mills and an increase (technically) of mills, for a 5.36 mill total to run 2 years.

The B.V.D. Community School Improvement Award, consisting of a Certificate of Merit to the School Planning Commission, was read. The Mayor was asked to present it to the School Planning Commission on Dec. 9, at the time of the national awards.

Committee Reports:

Finance - no report

Safety & Service - The committee request for an approp- of \$45 was granted to purchase the Turbo-glide transmission in place of the Powerglide in the new cruiser. This was on motion of Long-Britten, all voting aye.

Laws & Contracts - no report.

Street Comm. - The Street Comm. and the Engineer recommended acceptance and dedication of Longfield Dr. & Maxfield Le., with the contractor required to furnish

1. Plat of sewer taps
2. copies of Nutting Co. test reports
3. copies of Richter Concrete load sheet reports

This was referred to the Planning Commission for recommendation & report.

The Engineer has tentative plans for work on Thomas Dr., and will get tentative cost figures for the comm. From this information a recommendation will be presented to Thomas Dr. residents.

Work is underway on Fowler Ave. edge improvement.

The contractor is working on the storm sewer changes on Thomas Drive.

Public Relations - Moved by Patten, seconded by Britten, all voting aye, that council participate in the Merchants program of Christmas lighting by paying the electric bill.

Public Utilities - Britten discussed the street lighting complaint of Mrs. Martyh, 7301 MarDel Dr. and asked the Clerk to write Mr. Meyer, of CG&E to see what, if anything, can be done to eliminate the glare into the house.

The Clerk was asked to write C&E to see when the requested light changes for the Madeira Heights Subdivision would be made.

House - The Treasurer's request for appropriations of \$45 for a numbering machine, and \$110 for a check writing machine, were granted on motion of Patten-Thornban, all voting aye.

H. M. Basse
Mayor

Julio O. Ruitamaa
Clerk

12/7/59

✓

AUTHORIZING THE MANAGER OF THE VILLAGE OF MADEIRA, OHIO, TO ENTER INTO A WRITTEN AGREEMENT WITH MAX DIXON FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM SAID VILLAGE.

WHEREAS, it is necessary that garbage and waste products collection, removal, and disposal service be had for the people and property of the Village of Madeira, Ohio, and the existing contract for said service expires December 15, 1959, and,

WHEREAS, said Village has heretofore duly advertised for sealed bids for such service in accordance with specifications on file with the Clerk of said Village, and,

WHEREAS, the such sealed bid submitted by Max Dixon has been duly found to be and duly designated by the Council of said Village the lowest and best bid so submitted; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADEIRA, STATE OF OHIO:

Section 1. The Manager of said Village of Madeira, Ohio is hereby authorized to execute and deliver on behalf of said Village a contract for such collection, removal, and disposal of garbage and waste products reading substantially as follows:

CONTRACT

This agreement entered into as of this _____ day of December, 1959, by and between the Village of Madeira, Ohio, through its Manager thereunto duly authorized by the Council of said Village, hereinafter referred to as the Village, and Max Dixon, hereinafter referred to as the Contractor, witnesseth that, each in consideration of the agreement heretofore made between them, do hereby agree to the following terms of the other:

The Contractor hereby agrees:

1. To collect, remove, and dispose of the garbage and waste products of the Village and its inhabitants and property within its territorial limits, as said inhabitants and property at any time during the life of this contract number, as said limits may at any such time be defined, for a period of two years commencing December 15, 1959 in accordance with the specification therefor on file with the Clerk of the Village, prior to December 1, the Village, which specifications are hereby incorporated and made a part of this contract as completely as they herein fully set forth and repeated;

EXHIBIT

2. Not to assign or transfer this contract without the prior written consent thereto of the Village.

The Village hereby agrees:

1. To pay the Contractor the sum of Forty-five Thousand Eight Hundred Dollars (\$45,800.00), payable in equal semi-monthly installments over the entire two year period of this contract, upon proper vouchers duly submitted by the Contractor.

The Village and the Contractor hereby further agree:

1. That this contract is subject to termination upon ninety days' prior written notice by either of the other.
2. That this contract shall not in any way be affected by any change of status of the Village from that of a Village to that of a city during the term hereof; that after any such change all rights and obligations of the Village hereunder shall be rights and obligations of the City of Madeira fully as though the Village were referred to as the City of Madeira throughout this contract, and that this contract shall be binding upon the Contractor during the entire two year period stipulated above, despite any such change.

IN WITNESS WHEREOF, the parties hereto executed this contract in duplicate this same day by the signatures hereunder appearing.

Village of Madeira, Ohio

By

Alvin H. McDaniel
Manager

HAYOR

Approved as to form and correctness:

By

Solicitor

Section 2. This ordinance is hereby declared to be an emergency measure. It is necessary that it go into immediate force and effect in order to preserve the public peace, order, safety, health, and welfare of the Village and it shall therefore be in full force and effect forthwith upon its passage. The reason for this necessity is the essentiality of protecting the Village and its inhabitants from the hazards of accumulated garbage and waste products, and of assuring the Village and its inhabitants of the reasonably prompt and regular collection removal, and disposal of such matter.

Adopted this 7th day of December, 1959.

Donald D. McQuinn
Mayor

ATTEST:

E. Harry Haines
Clerk-Treasurer

I, Clerk of the Village of Madeira,
State of Ohio, do hereby certify
that publication of the foregoing
ordinance/resolution was duly made
in The Messenger newspaper on
10th, Dec. 59 and

E. Harry Haines
Clerk of Village of Madeira

The Meeting was called to order by Mayor Russel Patten, who called for the election of a temporary Chairman and a temporary Clerk. Carl Thornton was nominated and voted to serve as temporary Chairman. Raymond Cox was nominated and voted to serve as temporary Clerk. Motion made by Driscoll seconded by Long all voting aye.

Chairman Thornton then introduced Gordon Scherer, who installed the new Council and swore them into their office.

Temporary Chairman then asked for nominations for Mayor to serve during his present Councilmatic term. Driscoll nominated Dan McDonald for the office of Mayor. Caldwell seconded the motion and nominations were closed. On roll call all voting aye.

McDonald recalled the meeting to order and thanked all Councilmen for placing confidence in him and he would preform his duties at his best abilities.

Mayor then asked for nomination for Vice-Mayor. Motion was made by Thornton that J.B. Long be made Vice-Mayor. Seconded by Caldwell, on roll call all voting aye.

Mr. Long pledged his services.

The Mayor then asked for a nomination for the appointment of Clerk-Treasurer. On motion by Caldwell-Driscoll, E. Stacey Downs to serve as Clerk-Treasurer for this term of Council. Clerk-Pro-Tem read Ordinance 701, for the appointment of Clerk and declared emergency was read. The rule of Section 731.17-O.R.C. requiring this ordinance to be read on three different days was dispensed with on motion by O'Malley-Thornton, on roll call all voting aye. Ordinance 701 was then passed in its present form on a motion by Caldwell-Reed, on roll call all voting aye.

The Mayor then asked for a motion for the appointment of Aldon M. Kinney Jr. for Village Solicitor for the term of this Council. Motion by Caldwell-Driscoll, on a roll call all voting aye.

The Clerk read Ordinance 702, providing for the appointment of the Solicitor compensation and declaring emergency, was read. The rule of Section 731.17-O.R.C. requiring this ordinance to be read on three different days was dispensed with on a motion by Caldwell-Thornton, on roll call all voting aye. Ordinance 702 was passed in its present form on a motion by Caldwell-Thornton on roll call all voting aye.

Reverend Eversull, of the Madeira Presbyterian Church, then gave a prayer.

The Mayor then called a 5 minute recess. The Mayor then made the appointments of the Committees.

Safety Committee

Carl F. Thornton Jr. Chairman
Thomas L. O'Malley

Service Committee

Thomas L. O'Malley Chairman
Harold Caldwell

Public Utilities Committee

Harold Caldwell Chairman
Allen M. Reed

Laws and Contracts Committee

James B. Long Chairman
Carl F. Thornton

Finance Committee

Allen M. Reed Chairman
John E. Driscoll

Public Works Committee

John E. Driscoll Chairman
James B. Long

The Mayor then presented a list of projects to the Committees for their consideration. He also requested their be a full committee meeting December 14th at 7:30 P.M. at the Municipal Building.

The Mayor suggested that the Laws & Contracts Committee investigate the probability of having a different meeting time. Suggested they investigate it and report later.

Motion was made by O'Malley-Caldwell, on roll call all voting aye, that the authorized signatures of the Village for this Council should be E. Stacey Downs and Raymond Cox. The Clerk was so instructed to notify the Fifth Third Union Trust Co.

The minutes were read and approved as recorded for the meeting of November 16, 1959.

There was no correspondence.

Ordinance 703, Garbage Collection, was read. The rule of Section 731.17-O.R.C. requiring this ordinance to be read on three different days was dispensed with on a motion by Thornton-Caldwell. Ordinance 703, was then passed in its present form on a motion by Caldwell-Driscoll, on roll call all voting aye.

No Committee Reports.

Manager's Report.

A budget Ordinance was presented to the Councilmen for their consideration. To be brought up at the next meeting.

Gasoline bids were then presented, of which Este Oil Co. was awarded the Contract for Village purchase of gasoline during the next year. At a cost of 24½ cents per gallon of 97 octane or better gasoline. There was a tie bid by the Ohio Valley Oil Co. but due to the fact of the Este Oil Co. guaranteed a higher octane than the other, the bid was awarded to the Este Oil Co.

August J. Albers, president of the Este Oil Co. commented on their services and pledged the best service available to the Village.

MarDel undermining project has been completed by pumping 9800 gallons of asphalt under the street.

Comments made by Council members to investigate and provided in the building ordinance or in the code that this undermining would not happen in any future streets that would be put in the Village of Madeira.

The hearing before the Planning Commission in reference to Don Carter's request for the installation of an aerial was withdrawn at a meeting held December 3, 1959.

The annexation meetings being held are progressing very effectively.

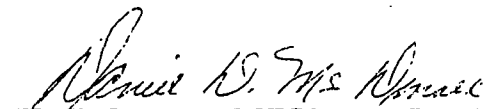
The Mayor requested that he be permitted to go to a Ohio Municipal Finance Meeting at Columbus, Ohio, December 16-17, in order to gain more information on Village Finances. A motion was made by Caldwell-Reed, all voting aye that Mr. Cox be authorized to attend this meeting.

Visitors:

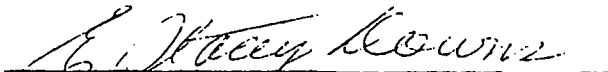
Jarius Deisenroth presented a bill that was submitted to him for 200 copies of the Village Charter. Due to an error in understanding the use of these copies of the Charter the bill was cancelled by motion of Thornton-Caldwell.

Councilman Reed asked the Manager to check the safety problem that has been created by the New Presbyterian Church. The Church is going to do everything possible to provide the proper parking space but it will take some time. Suggested that proper blinker lights be placed at the intersection during Church Services.

Meeting was Adjourned.



Mayor



Clerk

12/4/61

1072

ORDINANCE NO. 753

AUTHORIZING THE MANAGER OF THE CITY OF MADEIRA, OHIO, TO ENTER INTO A WRITTEN AGREEMENT WITH BERNARD W. HENKE FOR THE COLLECTION REMOVAL, AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM SAID CITY.

WHEREAS it is necessary that garbage and waste products collection, removal, and disposal service be had for the people and property of the City of Madeira, Ohio, and the existing contract for said service expires December 15, 1961 and

WHEREAS said City has heretofore duly advertised for sealed bids for such service in accordance with specifications on file with the Clerk-Treasurer of said City, and

WHEREAS the such sealed bid submitted by Bernard W. Henke has been duly found to be and duly designated by the Council of said City the lowest and best bid so submitted,; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MADEIRA, STATE OF OHIO:

Section 1. The Manager of said City of Madeira, Ohio, is hereby authorized to execute and deliver on behalf of said City a contract for such collection, removal, and disposal of garbage and waste products reading substantially as follows:

CONTRACT

This agreement entered into as of this ____ day of December, 1961, by and between the City of Madeira, Ohio, through its Manager thereunto duly authorized by the Council of said City, hereinafter referred to as the City, and Bernard W. Henke, doing business as H-H disposal Service, of 1235 Seymour Rd., hereinafter referred to as the Contractor, witnesseth that, each in consideration of the agreement hereto of the other:

The Contractor hereby agrees:

1. To collect, remove, and dispose of the garbage and waste products of the City and its inhabitants and within its territorial limits, as said inhabitants may at any time during the life of this contract number, and as said limits may at any such time be defined, for the period of two years commencing December 15, 1961, in accordance with the specifications therefor, on file with the Clerk-Treasurer of the City, which specifications are hereby incorporated in and made a part of this contract as completely as though herein fully set forth and repeated;
2. Not to assign or transfer this contract without the prior written consent thereto of the City;
3. To use, beginning not later than February 1, 1962, closed equipment for all garbage and waste pick-up and transportation within said territorial limits during the entire period of this contract thereafter remaining, and not to use open equipment for such purposes during such period except as necessary by reason of the breakdown of such closed equipment and then only for such time as may reasonably be required for repair thereof;



The City hereby agrees:


1. To pay the Contractor the sum of Forty Thousand Dollars (\$40,000), payable in equal semi-monthly installments over the entire two year period of this contract, upon proper vouchers duly submitted by the Contractor;

The City and the Contractor hereby further agree:

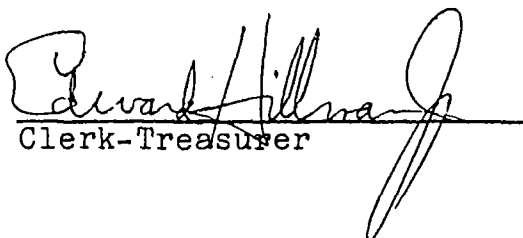
1. That this contract is subject to termination upon ninety days' prior written notice by either of them to the other.

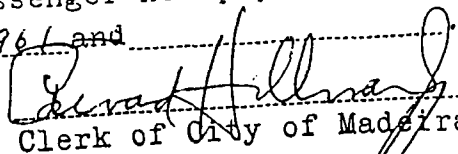
Section 2. This ordinance is hereby declared to be an emergency measure. It is necessary that it go into immediate force and effect in order to preserve the public peace, order, safety, health, and welfare of the City and it shall therefore be in full force and effect forthwith upon its passage. The reason for this necessity is the essentiality of protecting the City and its inhabitants from the hazards of accumulated garbage and waste products, and of assuring the City and its inhabitants of the reasonably prompt and regular collection removal, and disposal of such matter.

Adopted this 4th day of December, 1961.


Mayor

ATTEST:


Clerk-Treasurer

I, Clerk of the City of Madeira,
State of Ohio, do hereby certify
that publication of the foregoing
ordinance/resolution was duly made
in The Messenger newspaper on
Dec 7, 1961 and

Clerk of City of Madeira

Regular Council Meeting
December 4, 1961

Mayor McDonald opened the meeting by leading Council and visitors in the Pledge Allegiance to the Flag.

This being installation of the officials, there were several visitors including a girl scout group.

On roll call, all Councilmen were present.

Invocation by Rev. James Joyce, O.P., St. Gertrude's Church.

The Honorable Chase M. Davies, Judge of Probate Court, Hamilton County was introduced as installing officer. Judge Davies spoke briefly to the visitors, noting how nice it was that the young people of Madeira particularly, were taking interest in their government functions.

All elected officials were sworn in by Judge Davies.

On a motion by Councilman Thornton, seconded by Councilman O'Malley it was moved that Daniel D. McDonald be appointed ~~by~~ Mayor for the new term. Motion carried, all voting aye.

On a motion by Councilman Caldwell, seconded by Councilman Long, it was moved that Carl Thornton, Jr. be appointed Vice-Mayor. Motion carried, all voting aye.

On a motion by Councilman O'Malley, seconded by Councilman Caldwell, Edward Hillman, Jr., was appointed Clerk-Treasurer for the term of the present Council. Ordinance #751 was read, referring to this appointment. On a motion by Councilman O'Malley, seconded by Councilman Caldwell, the three readings under Section 731.17 O.R.C. were waived. On a motion by Councilman Caldwell, seconded by Councilman Thornton, Ordinance #751 was passed in its present form. On roll call, all voted aye.

On a motion by Councilman Krehnbrink, seconded by Councilman Reed, Aldon M. Kinney, Jr. was appointed Solicitor for the City of Madeira. Clerk then read Ordinance #752, referring to the appointment of the Solicitor. On a motion by Councilman Reed, seconded by Councilman Krehnbrink, the three readings under Section 731.17 R.C. were waived. On roll call, all voted aye. On a motion by Councilman Reed, seconded by Councilman Krehnbrink, Ordinance #752 was passed in its present form. On roll call, all voted aye.

Judge Davies then administered the oath of office to the appointed officials. Mayor McDonald, Vice-Mayor Thornton, Clerk-Treasurer Hillman and Solicitor Kinney.

There were comments from Mayor McDonald, Vice Mayor Thornton, Clerk-Treasurer Hillman and Solicitor Kinney.

Benediction by Rev. Robert Eversull, Minister, Madeira Presbyterian Church.

Recess.

Meeting called to order.

Minutes of the November 20, 1961 meeting were submitted. There were a few minor corrections. Page 1, remove the words "pro tem" and "temporary", page 2, strike out last sentence, 1st paragraph, page 3, change the spelling of Thomas Landus to Landise. The minutes were approved as corrected.

Councilmanic Committees were appointed. It was noted that there will be seven Committees instead of the past six committees.

NEW BUSINESS:

Manager's Report. Beginning next month, the Manager will begin a policy of maintaining City equipment by a City employee.

Councilman Krehnbrink announced a meeting of the Public Works Committee following the regular Council meeting.

Councilman Reed, seconded by Councilman Caldwell, moved to invite all Clergymen of Madeira-area churches to open future Council meetings with a prayer. This would mean only one visit every three months, if all participate. All voted aye.

Councilman Caldwell then asked the City Manager if the plans used in the football field lighting, could be used again in the lighting project for the other side of the park. The Manager answered in the affirmative.

ORDINANCES:

Ordinance #749, Prohibiting posting of handbills, notices, etc, on utility poles or public property was read for second reading. On a motion by Councilman Krehnbrink, seconded by Councilman Reed, Ordinance #749 was passed from the second to third reading. On roll call, all voted aye.

Ordinance #750 was then read by the Clerk, authorizing employment of secretarial and stenographic assistance and fixing compensation. On a motion by Councilman Caldwell, seconded by Councilman O'Malley, Ordinance #750 was passed from the second to third reading. On roll call, all voted aye.

Ordinance #753, authorizing the Manager to enter into an agreement with Bernard W. Henke for the collection of waste. On a motion by Councilman Krehnbrink, seconded by Councilman O'Malley, the three readings under Section 731.17 R.C. were waived. On a motion by Councilman Krehnbrink, seconded by Councilman O'Malley, Ordinance #753 was passed in its present form. On roll call, all voted aye.

The schedule for the refuse collection will remain the same. If it becomes necessary to change to 4 days, Mr. Henke will notify the residents.

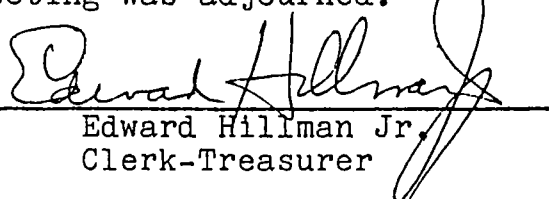
Visitors:

Hillary Poe, Mar Del Drive, spoke to Council regarding garbage disposal service.

Mayor McDonald suggested that all Ordinances submitted in the future be mailed along with the regular mailing of minutes, so that Council can go over the Ordinance before the meeting, to eliminate the reading of the entire ordinance at the meeting. It was moved by Councilman Caldwell, seconded by Councilman Reed, all voting aye, that this policy be established.

Councilman Caldwell then asked the Manager if there was any policy for providing identification cards for solicitors who are making calls in the City. The Manager replied negatively, that normally there was just an authorization presented to the head of the team of solicitors if there were more than one. The Manager stated he would check into the matter and come up with a solution.

There being no further business, the meeting was adjourned.


Edward Hillman Jr.
Clerk-Treasurer



MAYOR OF THE CITY OF MADEIRA, OHIO

12/14/63

ORDINANCE NO 810

AUTHORIZING THE MANAGER OF THE CITY OF MADEIRA, OHIO, TO ENTER INTO WRITTEN AGREEMENT WITH JAMES W GAILEY FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM SAID CITY: AND DECLARING EMERGENCY.

WHEREAS it is necessary that garbage and waste products collection, removal, and disposal service be had for the people and property of the City of Madeira, Ohio, and the existing contract for said service expired December 15, 1963, and

WHEREAS said City had heretofore duly advertised for sealed bids for such service in accordance with specifications on file with the Clerk-Treasurer of said City, and

WHEREAS the such sealed bid submitted by James W. Gailey, doing business as Clermont Waste Collection, has been duly found to be and duly designated by the Council of said City the lowest and best bid so submitted; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MADEIRA, STATE OF OHIO:

Section 1. The Manager of said City of Madeira, Ohio, is hereby authorized to execute and deliver on behalf of said City a contract for such collection, removal, and disposal of garbage and waste products reading substantially as follows:

The Contractor hereby agrees:

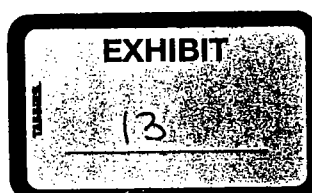
1. To collect, remove, and dispose of the garbage and waste products of the City and its inhabitants and within its territorial limits, as said inhabitants may at any time during the life of this contract number, and as said limits may at any such time be defined, for the period of two years, commencing December 16, 1963, in accordance with the specifications therefor on file with the Clerk-Treasurer of the City, which specifications are hereby incorporated in and made a part of this contract as completely as though herein fully set forth and repeated;
2. Not to assign or transfer this contract without the prior written consent thereto of the City;
3. To use closed equipment for all garbage and waste pick-up and transportation within said territorial limits during the entire period of this contract, and not to use open equipment for such purposes during such period except as necessary by reason of the breakdown of such closed equipment and then only for such time as may reasonably be required for repair thereof;

The City hereby agrees:

1. To pay the Contractor the sum of forty-one thousand dollars (\$41,000), payable in equal semi-monthly installments over the entire two year period of this contract, upon proper vouchers duly submitted by the Contractor;

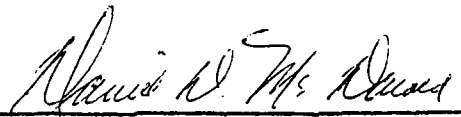
The City and the Contractor hereby further agree:

1. That this contract is subject to termination upon ninety days' prior written notice by either of them to the other.



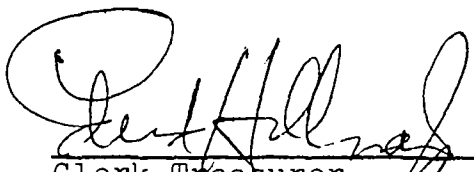
Section 2. This ordinance is hereby declared to be an emergency measure. It is necessary that it go into immediate force and effect in order to preserve the public peace, order, safety, health, and welfare of the City and it shall therefore be in full force and effect forthwith upon its passage. The reason for this necessity is the essentiality of protecting the City and its inhabitants from the hazards of accumulated garbage and waste products, and of assuring the City and its inhabitants of the reasonably prompt and regular collection removal, and disposal of such matter.

Adopted this 16th day of December, 1963.



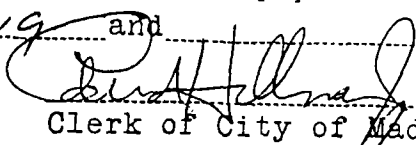
Mayor

ATTEST:



Clerk-Treasurer

I, Clerk of the City of Madeira,
State of Ohio, do hereby certify
that publication of the foregoing
ordinance/resolution was duly made
in The Messenger newspaper on

Dec 19 and _____


Clerk of City of Madeira

The meeting was opened by Mayor McDonald. The invocation was given by Reverend Louis E. Lowrey, Madeira Church of Christ.

On roll call Councilman Thornton was absent.

The Minutes of the previous meeting were accepted as submitted.

CORRESPONDENCE:

1. A letter was received from Karl Mosbacher, Chairman of the Madeira Planning Commission recommending the appointing of a City Planner to work on our Master Plan.

2. A letter was received from Mr. Jerry Deisenroth, Madeira citizen, regarding the alleged fraudulent solicitation from magazine subscriptions recently perpetrated upon several citizens.

The Manager indicated that apparently this solicitor embezzled the funds he collected. The matter will be investigated by the Madeira Police Department.

Councilman Thornton now present.

Councilman Caldwell suggested an ID card be furnished solicitors who were licensed to work in Madeira.

3. A letter was received from Hamilton County regarding expansion of the boundaries of previously established Hamilton County sewer District "H".

The matter was referred to the Public Works Committee for recommendation.

ORDINANCES & RESOLUTIONS:

Councilman Schneider reported on the Planning Committee meeting hearing recently with Mr. Pharon Bailey. Mr. Bailey is now investigating plans to utilize the property in question as Residential "A". It was moved by Councilman Schneider and Seconded by Councilman Krehnbrink that (1) the residential "A" zoning be extended to the full 6.9 acres comprising the Bailey property; (2) that Council pass Ordinance #794, accepting application of various freeholders for annexation to the City of territory adjacent westerly thereof, as an indication of Council's approval of the property annexation; (3) that Council indicate its intention to rezone 1 3/4 acres of the Bailey property to Residential "A" subject to Planning Commission's recommendation after a Public Hearing. All voted aye.

Ordinance #794 was read for the third time. On motion by Mr. Caldwell, seconded by Mr. Krehnbrink, Ordinance #794 was passed in its present form. All voted aye.

Ordinance #807, extending the zoning plan to include certain territory, and placing same in Residence "A" zone, upon annexation; and declaring emergency, was read for the first time. On motion by Caldwell, seconded by Schneider the required three readings under Section 731.17 O.R.C. were waived. All voted aye. On motion by Councilman Caldwell, seconded by Councilman Schneider Ordinance #807 was passed in its present form. All voted aye.

Ordinance #808, authorizing the City Manager of Madeira, Ohio, to enter into contract for bulk purchase of salt; and declaring emergency was read for the first time. On motion by Krehnbrink, seconded by Long the required three readings under Section 731.17 O.R.C. were waived. All voted aye. On motion by Councilman Reed, seconded by Councilman Krehnbrink, Ordinance #808 was passed in its present form. All voted aye.

Ordinance #809, authorizing the Manager of the City of Madeira, Ohio to enter into written agreements with the Este Oils Co., of St. Bernard, Ohio for lease of gasoline storage and pumping facilities and bulk purchase of gasoline; and declaring emergency, was read for the first time. On motion by Councilman Caldwell, seconded by Councilman Krehnbrink the required three readings under Section 731.17 O.R.C. were waived. All voted aye. On motion by Councilman Krehnbrink, seconded by Councilman Thornton Ordinance #809 was passed in its present form. All voted aye.'

Ordinance #810, authorizing the Manage of the City of Madeira, Ohio to enter into written agreement with James W. Gailey for the collection, removal and disposal of garbage and waste products from said City; and declaring emergency, was read for the first time. On motion by Councilman Caldwell, seconded by Councilman Long, the required three readings under Section 731.17 O.R.C. were waived. All voted aye. On motion by Councilman Caldwell seconded by Councilman Thornton Ordinance #810 was passed in present form. All voted aye.

Ordinance #811, authorizing the City Manager of Madeira, Ohio to enter into agreement with the Brewer Co. for the purchase of bituminous materials; and declaring emergency, was read for the first time. On motion by Councilman Caldwell, seconded by Councilman Krehnbrink, Ordinance #811 was passed to a second reading. All voted aye.

Ordinance #812, amending the annual appropriation Ordinance #785 providing for current expenditures for the year ending, December 31, 1963, was read for the first time. On motion by Councilman Long, seconded by Councilman Caldwell, the required three readings under Section 731.17 O.R.C. were waived. All voted aye. On motion by Councilman Long, seconded by Councilman Caldwell, Ordinance #812 was passed in its present form. All voted aye.

OLD BUSINESS:

Manager Reports:

1. Overhead Signs and Signal Problems: Delivery was promised for December 30. Permits required were received from C.G. & E. The Telephone Company gave their permission and the contractor is waiting for final delivery of the remaining material to complete this work.

The Shewango light was malfunctioning again and the company recommended replacement of the controller. This will cost \$980.00 which the Manager could not authorize at this time. The Manager wants to try an alternative; move the stop bar back over the vehicle detector and see if this will keep the signal tripping for the infrequent traffic. Technically, the signal will trip with an automobile ignition.

The manufacturer's representative indicated previously that the signal controller was built to the maximum i.e., no further controls could be added without remodelling the existing features of the control box. Apparently, the Shewango light has reached this point.

The old traffic signal at Camargo and Miami began to act up within the past two weeks. The serviceman found two gears worn nearly beyond repair, but this problem was resolved with replacement of the old parts. At least two citations were voided because of the approximate one second amber light.

There followed a discussion of the feasibility of replacing or modifying the controller at Shewango and Miami.

2. Police Cruiser. The new cruiser will be delivered December 18 according to the latest report. About two or three days to transfer equipment and the car is ready.

3. Euclid-Camargo Intersection. The 25 mph signs were put up on Euclid this past week and the remaining signs will be delivered after December 30. After the signs are erected, the Manager will study the problem again to see if further steps can be taken

4. Various Contracts & Ordinances. Ordinances are prepared for the waste collection, gasoline, blacktop and salt contracts tonight. The officials bonds were delivered Thursday of last week.

Specifically, the Manager prepared a letter to Clermont Waste Collection that Council expects the specifications to be met.

Also, the basement remodelling advertised with bids due December 28.

The Health contract for 1964 following the previous meeting.

5. Local Officials Meeting. The Commissioners devoted much of the time to discussing of a study to be conducted by the Municipal Reference Bureau and to cover needs, complaints of municipal services and ability to meet demands. Many of the problems apparently would be covered in unincorporated areas and the core city.

In addition to the study, questions were raised on County participation in road work and sewer construction.

6. Parking Lot. The Manager gave the final estimate to Carter Construction Company on the parking lot. This amounted to \$8,139.00.

7. Park. Carter Construction Co. wants a letter authorizing the work to be done in the City Park, including the tap-in for the Shelter House sewer and levelling of earth to the north of the tennis courts.

The Manager consulted with a local landscaper to move some of the trees from the land to be filled to the driveway along the parking area. Because of surface roots that cannot be moved satisfactorily the landscaper proposed new, guaranteed trees for the driveway amounting to \$300.00.

The pipe must be extended in the gully throughout the Park prior to beginning the fill work.

It was moved by Caldwell seconded by Reed that the Manager get bids on the tap-in of the Shelter House sewer into the City system. All voted aye.

8. Building Construction. Two builders, on Ester Lane and Shawnee Run Road were notified within the past two weeks that their pouring of concrete in the extremely cold weather was not acceptable to the Manager and Inspector without protection, heating or testing when the foundations were poured. They were given three alternatives; not pour concrete in extremely cold weather; protect the poured concrete and finally, provide the building department with core tests. Both indicated that they would pour and run the tests.

Councilman Reed commented on the excellent service the City is providing the future home owners in this respect.

9. Street Department. During the past two weeks, the street crew has been called out twice for ice control. All equipment is in good condition and working well. The Garage was cleaned throughly, new shelves built from existing material and some new tools ordered.

10. Shawnee Run Acres Subdivision Plat. The plat of the Shawnee Run Acres Subdivision was recorded and the subdivider submitted four copies of the plat for our accepting the street dedication. The Planning Commission approved this plat November 13, it was recorded and awaits Council's action. The Manager still has the bond in the amount of \$80,000 for the improvements. If there are no objections, the Manager will submit the plat to the Solicitor to prepare an Ordinance accepting the dedication of Willowhollow Lane.

Councilman Krehnbrink suggested the City wait until formal procedure for accepting streets and sewers is formulated.

COMMITTEE REPORTS:

1. Councilman Long submitted a report for Laws and Contract Committee.

2. Councilman Krehnbrink submitted a Public Works Committee report. It was moved by Councilman Krehnbrink and seconded by Councilman Schneider that the revised policy as submitted regarding storm sewers be put into the operating procedure for use by Council and the Manager. Mr. Reed further suggested the policy be adopted without using specific names as precedence for future S.O.P.

Following the withdrawal of Councilman Schneider's second of the above motion, Councilman Krehnbrink amended the motion as follows: The City adopt the policy as submitted this evening, keeping the basic policy to be recorded in the policy book, only that material on page 2 and the first 5 words on page 3 of said policy as submitted. Schneider seconded the motion and all voted aye.

The Clerk-Treasurer was requested to provide a policy book for each City official including all policies so far, each policy to be numbered. (Example: Public Works #1; Safety #2, etc.)

Following reference to Public Works Report dated November 4, it was moved by Councilman Krehnbrink, seconded by Councilman Reed that the City Manager get estimates of costs for survey of easements on all sewers in the City. All voted aye.

Councilman Krehnbrink asked for the Manager's recommendation on the Muenchen property work so the City can proceed before readvertisement is necessary. It was moved by Councilman Reed, seconded by Councilman Long necessary easement from Mr. Muenchen and a document from him as to his cooperation on costs so that Council could advise the lowest and best bidder to proceed. All voted aye.

It was moved by Councilman Reed and seconded by Councilman Long that his motion be amended to include the name of William Wehrmann as the lowest and best bidder.

It was moved by Schneider and seconded by Long that the proposed "Assembly and manufacturing" Ordinance be sent back to the Planning Commission for further study. All voted aye.

MAYOR'S REPORT:

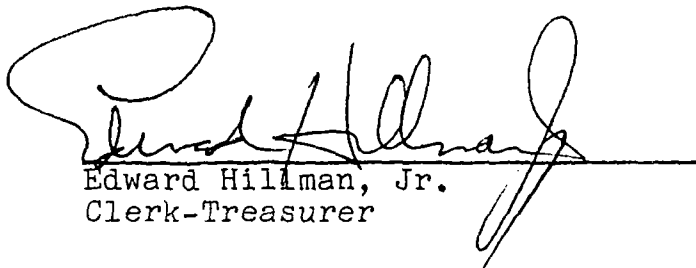
Mayor McDonald reported:

1. \$298.00 in fines for November-December.
2. Messrs. Mosbacher, Morrow and Glasgow had all been contacted and will accept re-appointment to the Planning Commission.

It was moved by Councilman Thornton and seconded by Councilman Caldwell that Karl Mosbacher, Monte Morrow and Herbert Glasgow be re-appointed to the Madeira Planning Commission. All voted aye.

Councilman Krehnbrink commented on the beautiful Christmas decorations throughout town this year and complimented Madeira Businessmen on this activity.

There being no further business, the meeting was adjourned.


Edward Hillman, Jr.
Clerk-Treasurer


MAYOR OF THE CITY OF MADEIRA, OHIO

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AUTHORIZING THE MANAGER OF THE CITY OF MADEIRA, OHIO, TO ENTER INTO WRITTEN AGREEMENT WITH JAMES W. GAILEY AND FRANK J. BAUMAN FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM SAID CITY; AND DECLARING EMERGENCY.

WHEREAS the City's existing waste disposal contract expires December 15, 1965, and

WHEREAS said City has heretofore duly advertised for sealed bids for such service in accordance with specifications on file with the Clerk-Treasurer of said City, and

WHEREAS the such sealed bid submitted by James W. Gailey and Frank J. Bauman, doing business as Clermont Waste Collection, has been duly found to be and duly designated by the Council of said City the lowest and best bid so submitted; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MADEIRA, STATE OF OHIO:

Section 1. The Manager of said City of Madeira, Ohio, is hereby authorized to execute and deliver on behalf of said City a contract with James W. Gailey and Frank J. Bauman, doing business as Clermont Waste Collection, for such collection, removal, and disposal of garbage and waste products, reading substantially as follows:

The Contractor hereby agrees:

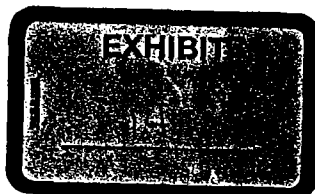
1. To collect, remove, and dispose of the garbage and waste products of the City and its inhabitants and within its territorial limits, as said inhabitants may at any time during the life of this contract number, and as said limits may at any such time be defined, for the period of two years commencing December 16, 1965, in accordance with the specifications therefor on file with the Clerk-Treasurer of the City, which specifications are hereby incorporated in and made a part of this contract as completely as though herein fully set forth and repeated;
2. Not to assign or transfer this contract without the prior written consent thereto of the City;
3. To use closed equipment for all garbage and waste pick-up and transportation within said territorial limits during the entire period of this contract, and not to use open equipment for such purposes during such period except as necessary by reason of the breakdown of such closed equipment and then only for such time as may reasonable be required for repair thereof;

The City hereby agrees:

1. To pay the Contractor the sum of forty-two thousand dollars (\$42,000) payable in equal semi-monthly installments over the entire two year period of this contract, upon proper vouchers duly submitted by the contractor;

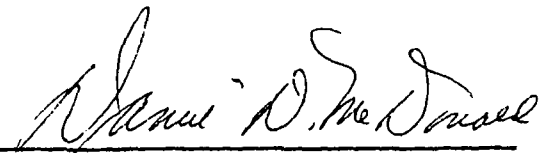
The City and the Contractor hereby further agree:

1. That this contract is subject to termination upon ninety days' prior written notice by either of them to the other.



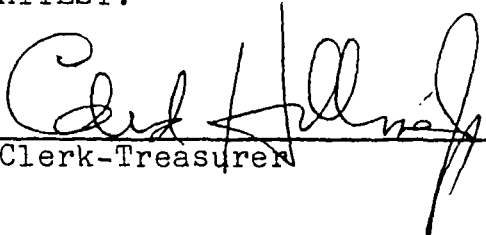
Section 2. This ordinance is hereby declared to be an emergency measure. It is necessary that it go into immediate force and effect in order to preserve the public peace, order, safety, health, and welfare of the City and it shall therefore be in full force and effect forthwith upon its passage. The reason for this necessity is the essentiality of protecting the City and its inhabitants from the hazards of accumulated garbage and waste products.

Adopted this 6th day of December 1965.



Mayor

ATTEST:



Clerk-Treasurer

I, Clerk of the City of Madeira,
State of Ohio, do hereby certify
that publication of the foregoing
ordinance/resolution was duly made
in The Messenger newspaper on
Dec. 16, 1965 and _____.

Clerk of City of Madeira

Regular Meeting of Council
November 15, 1965

The meeting was called to order by Mayor McDonald who, in the absence of a clergyman, led Council and visitors in a pledge of allegiance to the flag.

On roll call Councilman Krehnbrink was absent. The Manager was also absent.

The minutes of the previous meeting were accepted with minor corrections.

CORRESPONDENCE:

A letter from the Federal Aviation Agency, Eastern Region, Cleveland Area Office, dated November 2, in answer to the letter written to said office for the Council for the Clerk-Treasurer was read. This letter answered many of the questions in the Clerk's letter of October 8.

Mr. Schneider noted that in his opinion, the FAA has not justified the approach path selection and suggested requesting the meeting that the FAA had agreed upon.

A letter from Congressman Clancy, dated November 8 was read. This letter suggested such a meeting and declared his availability to attend.

Manager now present.

Mr. Schneider moved that a meeting be arranged requesting a representative of the FAA, a representative of the City of Cincinnati and other interested municipalities and inviting Congressman Clancy. This meeting to be held at Madeira at the earliest date possible. There was a discussion of whom to invite to such a meeting in view of the tone of Mr. Link's letter. The motion died for lack of a second.

It was moved by Councilman Schneider, seconded by Mr. Caldwell that Council request the Federal Aviation Agency to send a representative to a meeting with the Council of the City of Madeira and Congressman Clancy, in the near future. All voted aye.

The Mayor suggested Councilman Schneider set up this meeting by letter to various parties with the Clerk-Treasurer, Hillman, to sign said letter. The date of November 22 was suggested for the meeting, time to be 8:00 p.m.

A letter from David E. W. Chatfield, Attorney, in behalf of his client, Florence Wilson, 7724 Railroad Avenue, Madeira, Ohio, was read. The letter was in regard to the sewer situation and the creek behind Mrs. Wilson's premises. Mr. Chatfield, who was in the audience, was then recognized. He is an attorney with an office at 1016 First National Bank Building. Mr. Chatfield spoke in behalf of his client, Mrs. Wilson, and developed the problem much as was stated in his letter. Mayor McDonald told Mr. Chatfield that his information was not entirely correct as to where the water was coming from. Mr. Chatfield asked that Council do something to alleviate the problem for Mrs. Wilson.

Mr. Schneider noted: (1) that the building was built on a natural waterway over 25 years ago; and (2) Madeira is not loading the creek by the use of its sewer system and therefore in his opinion it was not a City problem.

Mr. Reed suggested Mr. Chatfield's letter be given to the Solicitor so that he can answer the attorney's letter and if it is the City's responsibility, that the matter be turned over to the Public Works Committee.

ORDINANCES & RESOLUTIONS:

Ordinance #860, providing for removal of trees within street

right-of-way, fixing penalty, and declaring emergency, was presented for the second time. On motion by Councilman Caldwell, seconded by Councilman Long, Ordinance #860 was passed to the third reading. All voted aye.

Ordinance #861, authorizing the City Manager of Madeira, Ohio to enter into an agreement for professional engineering services for the remainder of 1965 and the year 1966 was presented for the second time. On motion by Councilman Caldwell, seconded by Councilman Thornton, Ordinance #861 was passed to the third reading. All voted aye.

Ordinance #862, authorizing the Manager of the City of Madeira Ohio, to enter into written agreement with James W. Gailey, Frank J. Baumann for the collection, removal and disposal of garbage and waste products from said City, and declaring emergency, was presented for the first time. On motion by Councilman Reed, seconded by Councilman Caldwell, Ordinance #862 was passed to the second reading. All voted aye. Mr. Schneider asked the Manager if notices were being sent to the residents covering the new regulations. The Manager said they had not been sent yet, but would be in the mail next week

OLD BUSINESS:

Councilman Reed: (1) Suggested a form be provided for the garbage contractor so that he could tell the citizens why he had not picked up their garbage on a particular day, if this occurred. (2) Noted that the Building Committee had agreed with the Manager on a definite preliminary layout for the restoration and rehabilitation of the Municipal Building.

Mr. Schneider reported on the meeting of the Planning and Zoning Committee regarding the proposed rezoning of Laurel Avenue. He said that the Committee recommends that no action be taken by Council at this time. It was then moved by Councilman Schneider, seconded by Councilman Lont that Council accept the Planning and Zoning recommendation to withhold any action to rezone Laurel Avenue and to return the matter to the Planning Commission for further study. The recommendation was based on the action of the citizens during the Public Hearing. The letter from the Madeira Building and Loan in opposition to such change and other opposition to the changes voiced at that meeting. All voted aye.

Mr. Schneider: (2) Noted that no one had attended the Miami Valley Conservancies Meetings scheduled for October 19. He suggested the meeting might be re-scheduled to allow the views of this group to be heard. A January Monday evening was suggested unless there is an urgency

Mr. Long asked to be excused from the meeting at this point, as he had a prior commitment.

MANAGER'S REPORT:

1. Traffic Signal Work. The progress on this contract is temporarily halted pending completion of the wiring diagram on Loannes-Miami signal. Two signs were delivered and will be installed at Laurel-Thomas-Euclid. The push button signs should be installed by the end of this week. Also, the flashing red light and three way red signal must be wired into Euclid-Miami controller.

2. Camargo Road Sewer #1002A. Following the Manager's letter to Dr. J. Edwin Reed, a Board of Health Sanitarian was in town

to begin the check of homes to find out who was tapped-in and who required notices to do so. Of the 14 not tapped-in, three were tapped-in. Another resident said he would tie in if required to do so. The balance were not at home or did not receive the xis-month notice from the Board of Health.

3. Leaf Collection. A new radiator core was installed on the leaf collector and other adjustments made in the engine so that the equipment was brought up to peak operating efficiency. The Manager and street foreman discussed a route for the community to pick up leaves weekly, but came to the conclusion that the schedule was nearly impossible to meet in the five-day work week. With 32 curb miles of street or paving to collect leaves, on a 40 hour schedule, this would mean moving the collector at approximately 1 mile per hour. On further thinging about the problem, it seemed about as difficult to make a collection within a two-week period. This would mean a schedule of 1/2 mile per hour. At this time it seems best next year to announce a general program for perhaps October 15-December 15.

Mr. Reed then questioned the Manager about as to why he had not had street crew work Saturday and Sunday to achieve the end result of picking up the leaves. The Manager said he would look into this possibility, for future work schedule.

4. Sewer Maintenance & Construction. The first item to discuss concerns the consulting engineer. The Manager directed him to perform the necessary survey work to gather factual information about the basement elevations on three homes that are presently useing septic tank systems. Also, the instructions to the engineer regarding the survey of the overflow systems were more specifically spelled out and a schedule set up for this work to be done.

The television camera will be utilized Friday, November 12, to check the Maple-Euclid sewer and verify if the pipe is collapsed or not.

A tax letter was received from an attorney relative to the same storm drainage conditon, except this pertains to the ditch along store fronts on Miami, between Laurel and Railroad Avenue.

Mr. Reed suggested we hire an experienced sewer contractor to cut the roots out and then inspect the sewer system again with the television unit.

5. Camargo-Miami Intersection. Some time ago, the Safety Committee and Manager and Chief of Police discussed a better traffic flow at the Camargo-Miami intersection. The situation was brought to our attention again by a letter from Mr. W. R. Berger, Shawnee Run Road, suggesting that three parking spaces be removed on the south side of Camargo near the Camargo Primary School to enable the through and rightxturn traffic to move better during the rush hour. The Chief of Police talked to the store owners and all agreed to removal of three parking spaces.

6. Remodelling Work. The Buildings Committee met Monday, November 8, The architect and Manager are preparing samples, including paint color, acoustical ceiling material, furniture information and related facts to better inform Council about the proposed improvement.

7. Sidewalk Program. Payments on the sidewalk improvement have dwindled to a trickle, but second notices are going out at this writing, only two persons have not been contacted and these involve disagreement over the amount of work done.

Mr. Thornton said that Mr. Ayers of Buckeye Crescent had called to complain that one block of the sidewalk in front of his home really belongs to the school according to the plat and his lot line, and suggested that the school should pay for that block.

The matter was referred to the Solicitor to see who really owns the property. After consideration, the Solicitor agreed that the school board does own this particular block and suggested that we bill the Board of Education for that repair. It was then suggested that the Manager immediately start to re-evaluate the sidewalk program for any possible action in 1966.

8. Bids on Salt, Gasoline. Bids will be received Saturday November 13, on bulk purchase of salt for 1966 and gasoline next year.

It was moved by Councilman Caldwell, seconded by Councilman Reed that Council accept the Este Oils bid at .2097¢ per gallon, including tax. The contract will be drawn up by the Solicitor. All voted aye. It was moved by Councilman Reed, seconded by Councilman Caldwell to accept the International Salt Co., bid at \$11.25 per ton for salt for the City's use. The Solicitor to draw up the contract. All voted aye.

9. Street Employee. October 25, the Manager hired Mr. Harry H. Thomas as a street department laborer at a beginning salary of \$1.85 per hour.

10. Building Inspector's Report for October \$164.09.

11. The Gas Company has reported they will increase the gas to Madeira residents after the first of November at approximately 7.25¢ per thousand cubic feet.

12. Mr. Rehring informed the Manager that he will furnish the elevations on three homes for the sewer program by December 1 and finish the survey on or before January 1.

From the Mayor's desk.

1. Mr. McDonald had several questions about items on the monthly bills. These included the Stacey-Downs' audit, which the Manager said indicated a slight change of rate. The item noted for Mutual of Omaha, which Mr. Griffin said was the police coverage. \$15.00 for the wrecker service, which was noted as having been necessary to pull the truck out of the mud.

2. Asked if Mr. Overbee had removed his business from the residential area as of this date. The Manager said he would by the first of the month.

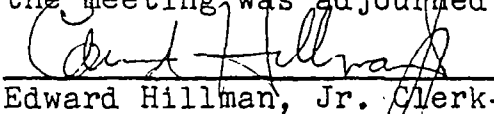
3. Noted the Mayor's Court receipts for October were \$159.00.


4. Noted the Appropriation Ordinance for 1966 would be due very soon.

5. Informed Council about the elected officials at the installation for the next term of Council to be held at 8:00 p.m. December 6.

Mr. Schneider then asked what is being done at Wm Patten's property regarding the dumping. He noted that there were at least 20 tons of junk back there. The Manager said that Mr. Patten was informed to clean it up.

There being no further business to come before the Council, the meeting was adjourned.


Edward Hillman, Jr. Clerk-Treasurer



MAYOR OF THE CITY OF MADEIRA, OH

AUTHORIZING THE MANAGER OF THE CITY OF MADEIRA, OHIO, TO ENTER INTO WRITTEN AGREEMENT WITH JAMES W. GAILEY FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM SAID CITY; AND DECLARING EMERGENCY.

WHEREAS the City's existing waste disposal contract expires December 15, 1967, and

WHEREAS said City has heretofore duly advertised for sealed bids for such service in accordance with specifications on file with the Clerk-Treasurer of said City, and

WHEREAS the such sealed bid submitted by James W. Gailey, doing business as Clermont Waste Collection, has been duly found to be and duly designated by the Council of said City the lowest and best bid so submitted; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MADEIRA, STATE OF OHIO:

Section 1. The Manager of said City of Madeira, Ohio is hereby authorized to execute and deliver on behalf of said City a contract with James W. Gailey, doing business as Clermont Waste Collection, for such collection, removal, and disposal of garbage and waste products, reading substantially as follows:

The Contractor hereby agrees:

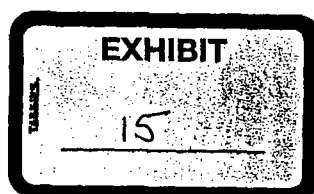
1. To collect, remove, and dispose of the garbage and waste products of the City and its inhabitants and within its territorial limits, as said inhabitants may at any time during the life of this contract number, and as said limits may at any such time be defined, for the period of two years commencing December 18, 1967, in accordance with the specifications therefor on file with the Clerk-Treasurer of the City, which specifications are hereby incorporated in and made a part of this contract as completely as though herein fully set forth and repeated;
2. Not to assign or transfer this contract without the prior written consent thereto of the City;
3. To use closed equipment for all garbage and waste pick-up and transportation within said territorial limits during the entire period of this contract, and not to use open equipment for such purposes during such period except as necessary by reason of the breakdown of such closed equipment and then only for such time as may reasonably be required for repair thereof;

The City hereby agrees:

1. To pay Contractor the sum of forty-eight thousand dollars (\$48,000), payable in equal semi-monthly installments over the entire two year period of this contract, upon proper vouchers duly submitted by the Contractor;

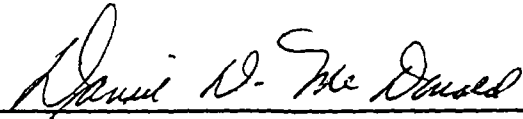
The City and the Contractor hereby further agree:

1. That this contract is subject to termination upon ninety days' prior written notice by either of them to the other.



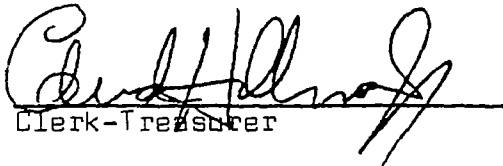
Section 2. This ordinance is hereby declared to be an emergency measure. It is necessary that it go into immediate force and effect in order to preserve the public peace, order, safety, health, and welfare of the City and it shall therefore be in full force and effect forthwith upon its passage. The reason for this necessity is the essentiality of protecting the City and its inhabitants from the hazards of accumulated garbage and waste products.

Adopted this 18th day of December 1967.



Mayor

ATTEST:



Clerk-Treasurer

Publication not necessary

Minutes Council Meeting
December 18, 1967

The meeting was called to order at 8:00 p.m. by Mayor Daniel D. McDonald.

The Reverend Donald Roberts, Madeira Baptist Church gave the invocation.

The Mayor then led Council and visitors in the pledge of allegiance to the flag.

The Mayor complimented Reverend Roberts on his letter to the Editor in a recent issue of the Cincinnati Enquirer and said that he wished more people would take interest in government that Mr. Roberts indicates by his frequent attendance at council meetings and other acts of civic responsibility.

The Mayor also announced that the eminent Aldon M. Kinney, Jr., Solicitor for the City of Madeira, who is now entitled to be addressed as Doctor, having recently being accorded the degree "Jurist Doctor". Mr. Kinney acknowledged the honor with a slight bow.

On roll call Mr. Ackermann was absent.

The Mayor then thanked Council for their confidence in him as indicated by appointing him Mayor at the first meeting. He said his doctors had certified his health as completely sound and that he will be able to perform the duties of Mayor as required.

He then remarked on the possible annexation of South Kenwood and Kenwood Mall areas and said that this is certainly a step in the right direction. Mr. McDonald remarked that Madeira must grow or be devoured and asked that all Council and City Officials work toward this end.

Mr. McDonald then announced that new committees have to be announced for the next two year period of Council; that currently he was allowing them to stand as appointed previously and would make changes as needed.

CORRESPONDENCE:

1. The Clerk read the notice of filing of the South Kenwood petition as presented to him by the petitioners on December 11, 1967.

2. Read a card of thanks from Mrs. Maybelle Harner on the indication of sympathy by the Council on the recent death of her husband, Fred Harner.

3. Read a letter from James W. Deye, complaining about children trespassing on his ground while taking a short cut to the Madeira High School.

The Manager said this had been brought to the attention of the Police Chief who had discussed it with school officials and Mr. Deye and proper action would be taken.

4. Called to Council's attention a rather long letter from the law firm of Brumleve, Kamp and Wood regarding the legalities of the Broadwell Road dump controversy.

ORDINANCES & RESOLUTIONS:

Ordinance #919, AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF BITUMINOUS MATERIAL, was presented for the third reading.

It was moved by Mr. Caldwell seconded by Mr. Reed that Ordinance #919 be passed in its present form.

Ordinance #922 AUTHORIZING THE CITY MANAGER OF THE CITY OF MADEIRA, OHIO TO RENEW THE CITY'S FIRE CONTRACT WITH MADEIRA AND INDIAN HILL FIRE COMPANY was presented for the third reading. It was moved by Mr. Caldwell seconded by Mr. Schneider that Ordinance #922 be passed in its present form.

Ordinance #925 AUTHORIZING THE MANAGER OF THE CITY OF MADEIRA, OHIO TO ENTER INTO A WRITTEN AGREEMENT WITH JAMES W. GAILEY FOR THE COLLECTION AND REMOVAL AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM SAID CITY AND DECLARING EMERGENCY was presented for the first reading.

It was moved by Mr. Caldwell seconded by Mr. Thornton that the required three readings under Section 713.17 ORC be waived. All voted aye.

It was moved by Mr. Reed seconded by Mr. Thornton that Ordinance #925 be passed in its present form. All voted aye.

Ordinance #926 AUTHORIZING THE PURCHASE OF A NEW PICKUP TRUCK, was presented for the first reading.

It was moved by Mr. Caldwell seconded by Mr. Schneider that the required three readings under Section 713.17 ORC be waived. All voted aye.

It was moved by Mr. Caldwell seconded by Mr. Schneider that the required three readings under Section 713.17 ORC be waived. All voted aye.

It was moved by Mr. Caldwell seconded by Mr. Thornton that Ordinance #926 be passed in its present form. All voted aye.

Ordinance #927 AUTHORIZING THE PURCHASE OF A NEW POLICE CRUISER AND SALE OF USED VEHICLE IN CONJUNCTION THEREWITH AND DECLARING EMERGENCY was presented for the first reading.

It was moved by Councilman Caldwell seconded by Councilman Thornton that the required three readings under Section 713.17 ORC be waived. All voted aye. It was moved by Councilman Caldwell seconded by Councilman Schneider that Ordinance #927 be passed in its present form. All voted aye.

Ordinance #928 AMENDING THE ANNUAL APPROPRIATION ORDINANCE #897 PROVIDING FOR CURRENT EXPENDITURES FOR THE YEAR ENDING DECEMBER 31, 1967 was presented for the first reading.

It was moved by Councilman Reed seconded by Councilman Caldwell that the required three readings under Section 713.17 ORC be waived. All voted aye.

It was moved by Councilman Schneider seconded by Councilman Reed that Ordinance #928 be passed in its present form. All voted aye.

Old Business:
Council:

Mr. Bolsinger: Noted that the Schweir property located on Laurel Avenue, which was recently sold and is now vacant, is becoming very deteriorated. He said that there have been reports of children playing in the house and that he was asking the City Manager to try to expedite the process of disposal of this house. The Manager said he would investigate and report back.

2. Asked the current status of the negotiations with Indian Hill and their answer, if any, to the recent written letter by the Clerk/Treasurer asking for a joint meeting of the two councils.

Mr. Reed said that Indian Hill Councilman Lawson Reed had called him and asked for a re-setting of the meeting in late January or early February.

Mr. Reed asked the Clerk/Treasurer to write to the Council of Indian Hill in reference to Mr. Lawson Reed's communication and note that the first of February would be satisfactory with

Madeira Council. (This letter was not written due to a recent communication from Wray White, Manager of the Village of Indian Hill and subsequent setting of meeting for January 27th by City Manager Stewart and Village Manager White).

The Mayor:

1. Asked Dr. Kinney to interpret pages 1435 through 1451 of the Ohio State Bar Association report on changing procedures of Mayor's Courts, setting up traffic board, etc.
Mr. Kinney said he had not seen this report as yet but would immediately obtain a copy, study it and report to Council and the Mayor.

Manager:

1. Discussed the Appropriation Ordinance for 1968.
The Mayor asked that we wait until the books are closed and an accurate financial picture can be seen.
2. Discussed the salary revision recommendations to be effective December 26, 1967.

Mr. McDonald said in his opinion, the lowest pay rates for the patrolmen are set too low.
The Manager suggested \$7,000 as an appropriate figure for these pay grades.
Following discussion it was moved by Mr. Caldwell seconded by Mr. Schneider that the Manager raise the lowest patrolman pay grade be \$7,000 per year. All voted aye.

Mr. Schneider said in his opinion the pay level for the part time patrolman was too low. He suggested being it at least to the level of a full time man, pro-rated, of course, to the amount of time worked by the man.
The Manager said he would look into this possibility.

3. Discussed the renovation proposal of the Sellman School field. He said Mr. Toth had reported the Board of Education had given an o.k. to the proposal as submitted. (The City and School to share the cost equally). Also that the MRA has indicated that they would like to donate \$1,500 toward this which would leave the balance of \$3,600 to be shared by the City and the School.

The Mayor discussed the policy now in effect and noted that this would preclude the MRA from spending their money toward capital improvements.

Mr. Caldwell and Mr. Schneider indicated their agreement in this.

The Manager said we would have to look for the extra money if we did not accept the \$1,500 donation from the MRA.
The Mayor responded that the Finance Committee would look into the matter.

Mr. Caldwell complained about the \$600.00 charge for tapping the water line as indicated by Indian Hill Water Works.
A further discussion indicated this is a service charge and could be completely in line with charges normally made toward this type of service.

After much discussion it was moved by Mr. Caldwell seconded by Mr. Reed that the City accept the Manager's recommendation to share this cost with the school and that any agency or civic organization be urged to participate.

Mr. William Toth, Assistant to the Superintendent of Madeira Schools, reported that this was a volunteer gesture by people whose organizations use the field a great deal of the time

and that in his opinion it was an acceptable gesture.

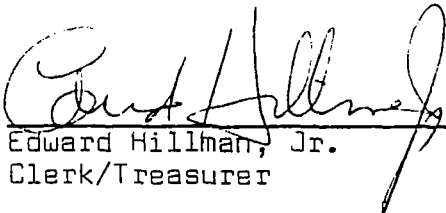
The Mayor was opposed to the MRA participating on this basis, stating that in his opinion it is the first time it has been before Council and that we should go through the regular government procedures and that we should pay our own way. He suggested letting the outside organizations pay for additional equipment or any other type of capital improvements. He asked Mr. Toth if the decision had to be made immediately. Mr. Toth said the timing was important and that we must know by January so that the scheduling can be established for all of the various organizations who would use the school. He noted that if the program was set up as indicated, there would be no use of this facility for approximately 10 months while it was being repaired.

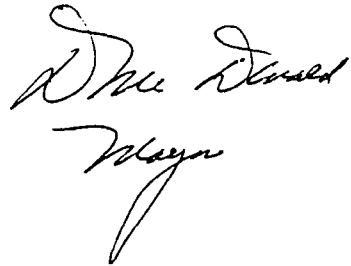
Mr. Reed indicated he would be willing to withdraw his second and Mr. Caldwell then withdrew his motion so that the decision could be delayed until the second meeting of Council this month.

The Mayor announced the January meetings to be the 8th and 22nd of January, due to the first Monday being a national holiday. The Clerk to send notices.

The bills for December were presented and approved.

There being no further business to come before the meeting it was adjourned.


Edward Hillman, Jr.
Clerk/Treasurer


Mayor

ORDINANCE NO. 992

✓

AUTHORIZING THE MANAGER OF THE CITY OF MADEIRA, OHIO, TO ENTER INTO WRITTEN AGREEMENT WITH RUMPKE, INC. FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF GARBAGE AND WASTE PRODUCTS FROM SAID CITY; AND DECLARING EMERGENCY.

WHEREAS said City has heretofore duly advertised for sealed bids for such service in accordance with specifications on file with the Clerk-Treasurer of said City, and

WHEREAS the such sealed bid submitted by William J. Rumpke, doing business as Rumpke Inc., has been duly found to be and duly designated by the Council of said City the lowest bid so submitted; now therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MADEIRA, STATE OF OHIO:

Section 1. The Manager of said City of Madeira, Ohio is hereby authorized to execute and deliver on behalf of said City a contract with William J. Rumpke, doing business as Rumpke, Inc., for such collection, removal, and disposal of garbage and waste products, reading substantially as follows:

The Contractor hereby agrees:

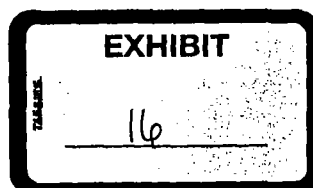
1. To collect, remove, and dispose of the garbage and waste products of the City and its inhabitants and within its territorial limits, as said inhabitants may at any time during the life of this contract number, and as said limits may at any such time be defined, for the period of two years commencing December 18, 1969, in accordance with the specifications therefore on file with the Clerk-Treasurer of the City, which specifications are hereby incorporated in and made a part of this contract as completely as though herein fully set forth and repeated; provided however, that such inhabitants and territory shall not include the territory known as South Kenwood the annexation of which to the City is now pending and shall not include the inhabitants thereof unless and until such annexation finally takes effect and City elects to include such inhabitants and territory within the operation of this contract in which event the payment hereinafter required shall be increased at the rate of \$25,100.00 per annum pro rated over the period of this contract then remaining unexpired.
2. Not to assign or transfer this contract without the prior written consent thereto of the City;
3. To use closed equipment for all garbage and waste pick-up and transportation within said territorial limits during the entire period of this contract, and not to use open equipment for such purposes during such period except as necessary by reason of the breakdown of such closed equipment and then only for such time as may reasonably be required for repair thereof.

The City hereby agrees:

1. To pay Contractor the sum of eighty-four thousand dollars (\$4,000), payable in equal semi-monthly installments over the entire two year period of this contract, upon proper vouchers duly submitted by the Contractor;

The City and the City Contractor hereby further agree:

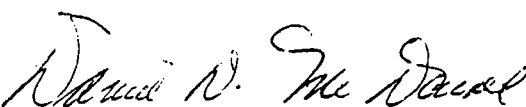
1. That this contract is subject to termination upon ninety days' prior written notice by either of them to the other.



12/15/69

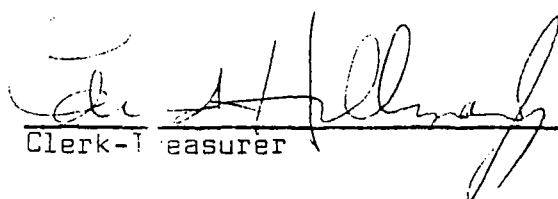
Section 2. This ordinance is hereby declared to be an emergency measure. It is necessary that it go into immediate force and effect in order to preserve the public peace, order, safety, health, and welfare of the City and it shall therefore be in full force and effect forthwith upon its passage. The reason for this necessity is the essentiality of protecting the City and its inhabitants from the hazards of accumulated garbage and waste products.

Adopted this 15th day of December 1969.



Mayor

ATTEST:



Clerk-Treasurer

Mayor McDonald opened the meeting at 8:00 p.m., and led Council and visitors in the Pledge of Allegiance to the flag.

On roll call, all Councilmen were present except Mr. Thornton.

The minutes of the previous meeting were accepted with minor corrections.

Correspondence

A letter from Mr. Dryden Jones, local businessman, to the Mayor, voicing his congratulations to Mr. McDonald on his re-election to Mayor.

The Mayor said this letter symbolized many others that he had received congratulating the Council and himself on their election.

Ordinances and Resolutions

Ordinance #988 AUTHORIZING THE MANAGER OF THE CITY OF MADEIRA, OHIO, TO RENEW THE CITY'S FIRE PROTECTION CONTRACT WITH THE MADEIRA-INDIAN HILL FIRE DEPARTMENT was presented for the first reading. A discussion on the reason for the higher contractual price was then held. The Manager reported that salary increases and purchases of new equipment was mainly responsible for the higher price. It was moved by Schneider, seconded by Reed that the required three readings under Madeira Home Rule Charter be waived. Mr. Smith then noted that the contract was an increase of almost \$20,000 in the past four years. The Mayor noted that this increase resulted from the higher millage, the rate having been 1.5 mills four years ago, and it was now up to 2 mills. Mr. Reed wanted to know how much new equipment had been purchased. The Mayor noted that there had been a new pumper purchased and a couple of other pieces of needed equipment. In answer to Mr. Reed's question about the financial needs of the Fire Department, the Manager briefed the Council on what he knew of Madeira-Indian Hill Fire Company financing, and suggested that Council ask the Fire Department to provide a spokesman to brief Council if it so desired. Mr. Schneider suggested that since we are asking for an improvement of the Fire Department and their potential for protecting Madeira citizens, we pass the ordinance but that we also keep on the Fire Department to fulfill the program changes that have been scheduled in order to help with the Underwriting fire rating structure. The motion was then voted on and all voted aye. It was moved by Reed, seconded by Schneider that Ordinance #988 be passed in its present form. All voted aye.

Ordinance #989 REGULATING ERECTION OR REMOVAL OF STRUCTURES WITHIN CERTAIN AREAS was presented for the first reading. Manager Stewart briefed Council that this ordinance is suggested by the State Fire Inspection Bureau to set fire limits for buildings in downtown areas. He noted that this would help the City on its point score, and also be very beneficial on a safety stand point. It was moved by Schneider, seconded by Smith that Ordinance #989 be passed to the second reading. Mr. Smith asked for a sketch or maps to be provided with this type of ordinance in the future, first hand what the areas were that were being legislated on. The Manager indicated these maps were available and that he could do this, but, of course, the administrative cost would go up with the extra work.

Ordinance #990 AMENDING AND REPEALING SECTIONS 1, 2, AND 3 OF ORDINANCE #961 OF THE CITY OF MADEIRA, OHIO, RELATIVE TO ESTABLISHING LIMITS OF COMPENSATION FOR CERTAIN CITY EMPLOYEES OF THE CITY OF MADEIRA OHIO; AND DECLARING EMERGENCY was presented for the first reading. The Clerk read the salary outlines for the new pay scales, following which, Mr. Smith asked about the longevity phases of the salary package which were evidently not included. The Manager noted that longevity and overtime ordinances are to be given a revision at a later date, for both Police Department and Service Department employees. It was moved by Smith, seconded by Schneider that the required three readings under the provision of the Madeira Home Rule Charter be waived. All voted aye. It was moved by Caldwell, seconded by Ackermann that Ordinance #990 be passed in its present form. All voted aye.

Ordinance #991 AMENDING AND REPEALING SECTIONS 1, 2, AND 3 OF ORDINANCE #962 OF THE CITY OF MADEIRA RELATIVE TO ESTABLISHING LIMITS OF COMPENSATION FOR CHIEF AND OTHER POLICE PERSONNEL; AND DECLARING EMERGENCY was presented for the first reading. It was moved by Caldwell, seconded by Smith that the required three readings under the provisions of the Madeira Home Rule Charter be waived. All voted aye. It was moved by Schneider, seconded by Reed that Ordinance #991 be passed in its present form. All voted aye.

Ordinance #992 AUTHORIZING THE MANAGER OF THE CITY OF MADEIRA, OHIO TO ENTER INTO A WRITTEN AGREEMENT WITH RUMPKE, INC. FOR THE COLLECTION, REMOVAL, AND DISPOSAL OF THE GARBAGE AND WASTE PRODUCTS FROM SAID CITY; AND DECLARING EMERGENCY was presented for the first reading. A revision of this ordinance was given to the Clerk by Solicitor Kinney and read to the Council. This revision was then incorporated into the ordinance. Mr. Smith commented this contract is up, since 1965, approximately \$20,000. The need for passing this ordinance was given by Mr. Stewart, who noted that the present contract expires the end of this month and to his knowledge our present collector has possibly retired from the garbage collection business. It was moved by Caldwell, seconded by Smith that the required three readings under the Madeira Home Rule Charter be waived. All voted aye. It was moved by Caldwell, seconded by Ackermann that Ordinance #992 be passed in its present form. All voted aye.

Business of Council

Mr. Smith asked the status of the rehabilitation of the fire hydrant system in downtown Madeira, which was mentioned at the first meeting in December. The Mayor said that this is now in committee.

Mr. Smith also asked whether there is any report on the complaints made on the resurfacing of MarDel and adjoining streets. Manager Stewart said he had no comment at this time but that he was working on the problem.

Councilman Smith asked if any new Crossing Guards had been hired. The Manager said no applicants, as of this date, and come forth. There were several suggestions made as to how to spread the word. The Mayor suggested perhaps an electronic signal could be used in place of a guard, particularly in the Greenbriar area where a guard is now being requested. Citizens who wanted guards should be made aware of City's problem in hiring.

Mr. Smith asked about the program for getting federal aid from the "Topics" program. The Manager noted that he has received some material from the State on this and that he would then have to plan a Type II system of roads which would be coordinated with cities in adjacent areas and with the OKI Commission. Had this work been completed, we could then take up the matter through OKI which has to endorse all this type of project. The Mayor referred the matter to the Safety Committee.

Mr. Smith then noted that the Manager had reported correspondence with the Baltimore & Ohio Railroad and had received no cooperation and asked what the status was at this time. The Manager reported no further developments; whereupon Mr. Smith moved that the Manager, by direction of Council, contact the B&O R.R. concerning the Dawson Rd. beautification plan, and if not answer is received, then it should be taken off the agenda. This motion was seconded by Mr. Caldwell and approved by Council by voice vote. Mr. Schneider suggested that Council pursue the leasing of this property as it has been discussed previously; then the City could take care of it itself. The Manager informed Council of his meeting with the B&O people and how he was treated with a lack of enthusiasm for any of the various ideas he had presented.

Mr. Schneider asked the status of the traffic survey. The Mayor, speaking for Councilman Thornton, head of the Safety Committee, who was absent, said:

1. That the engineer's design and written specifications for the Camargo-Miami intersection should be followed.
2. That the Euclid-Miami signal modification to permit right turns should be installed.
3. That the crosswalk on Miami Ave. should be moved 40 feet south, on a trial basis. This would improve, and actually save, some parking spaces which could be used in the off peak hours.
4. Noted that a Safety Committee meeting would be called prior to the next Council meeting.

Mr. Schneider commented that the businessmen of the community had evidently been receptive to eliminating the parking during the rush hours, and strongly urged Council not to abandon all of the ideas that had been put forth by the traffic safety survey firm. He suggested that we count the traffic, if necessary, and still remove some of the spaces that the consultants had advised. A discussion of the traffic situation since the new part of I-71 had opened then ensued. It was moved by Schneider, seconded by Caldwell that Council accept the recommendations of the Safety Committee as reported by the Mayor for Mr. Thornton. Mr. Reed said, in his opinion, we should do what the consultants suggested and not destroy the plan by doing it in piece meal.

Mr. Smith led a discussion of the timetable for eventually banning of off street parking and said, in his opinion, we should have moved the offending spaces now. Mr. Schneider briefed Council on the provisions of the changes to be made to the signal control. Mr. Smith urged Council not to move too rapidly on changing the crosswalk, because, in his opinion, it could be dangerous. The motion regarding acceptance of the Traffic Cxommittee's recommendations was passed by boice vote.

The Mayor then requested the Manager to investigate once again the use of an illuminated signal for the crosswalk. This was referred to the Safety Committee.

A meeting of the Laws and Contracts Committee was set for December 29th at 7:30 p.m.

Mayor's Report

1. Reported Court receipts of \$690.00 at his last session and he turned this amount over to the Clerk/Treasurer.
2. Asked for the status report on the Christmas lights for the business area. The City Manager said that the businessmen were having problems with getting a contractor to do this work, and there was a possibility of them not going up this year.
3. Noted that there was some construction material stored on the Bluford Jackson property, between Camargo and Euclid Rds., which was on City property and against the Zoning Code. The Manager was asked to investigate.
4. Noted that a local firm has gasoline or diesel fuel stored above ground on Camargo Rd. As this was against the Zoning Code, the Manager was asked to investigate.
5. Noted that the garage belonging to the last house on the left side of Dawson Rd. at the Corporation Line was in terrible condition. He stated that it should be condemned and torn down. The Manager was asked to investigate this matter also.
6. Noted that the utility pole at Camargo & Miami is still leaning. The Manager is to see if the situation can be alleviated.

7. Reported that the situation concerning the debts on the Patten property on Camargo Rd. is being taken care of, though a little more slowly than might be desired. Mr. Patten reports that he quotes being made on getting it to the sewer and would probably have this work contracted for in the future.

8. Noted that the right-hand turn sign had been ordered for Miami and Shewango but that it had ended up being placed on Loannes, at Miami. The Manager is to investigate this and other signs and to report this to Council.

Manager's Report

1. Reported that he will meet Wednesday with the County Engineer to discuss the second portion of the Miami-Camargo project. He noted that the first phase was \$8,000.00 over the estimate and the second phase seems to be exceeding the estimate. Mr. Stewart said if the County would help with the extra funds, we will be able to proceed; otherwise we will have to cut the program in order to keep within the budget of the amount.

2. Noted that the State may help repair Euclid Ave. much sooner than expected since this haul route for heavy trucks will be used for the next two - three years until all of I-275 and I-271 projects are completed.

The Mayor then announced a Finance Committee meeting immediately following a Council meeting and a special meeting of Council to be held at 9:00 p.m. on December 22nd.

Clerk Hillman then officially reported to Council that he would be absent at the first meeting in January because he would be attending a Military Service School in Norfolk, Virginia on that date and he asked to be excused.

There being no further business to come before the meeting, it was adjourned.

Count Hillman

*James R. Mc. Brown
Mayor*

ORDINANCE NO. 1074

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THE CITY OF MADEIRA ADVERTISED FOR BIDS FOR THE COLLECTION AND DISPOSITION OF TRASH AND WASTE FOR A PERIOD OF TWO YEARS BEGINNING DECEMBER 15, 1971 AND SAID BIDS BEING OPENED ON NOVEMBER 10, 1971, AND THAT OF CLERMONT WASTE COLLECTION IN THE AMOUNT OF \$140,000.00 BEING CONSIDERED THE LOWEST AND BEST BID BY THIS COUNCIL, THE CITY MANAGER IS HEREBY DIRECTED TO ENTER INTO A CONTRACT WITH THIS BIDDER MAKING THE SPECIFICATIONS ON WHICH THE BID WAS BASED A PART OF THE CONTRACT.

WHEREAS, said City has heretofore duly advertised for sealed bids for waste collection service in accordance with the specifications on file in the office of the City Manager of said City, and

WHEREAS, the sealed bids submitted by Betty Gailey, dba Clermont Waste Collection, Council after due consideration, has deemed it to be the lowest and best bid.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MADEIRA, STATE OF OHIO.

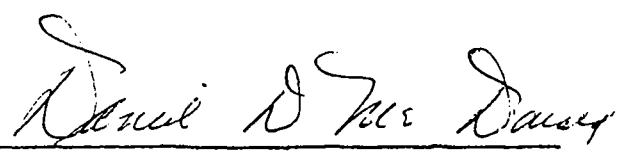
Section 1. The City Manager of said City of Madeira, Ohio, is hereby authorized to execute a contract with Betty Gailey, dba Clermont Waste Collection, on the basis of the specifications which were made a part of the bid and a copy of which is attached hereto and made a part hereof.

Section 2. The contract covers that work outlined in the Legal Notice which are entitled "Primary Bid" and "Alternate Bid No. 2".

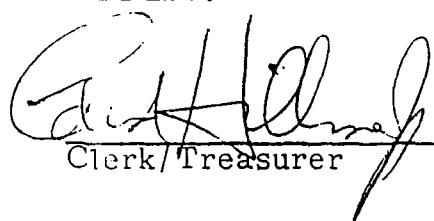
Section 3. The contractor cannot assign or transfer this contract without the prior written consent thereto of the City and this contract is subject to termination upon ninety (90) days prior written notice by either party to the other.

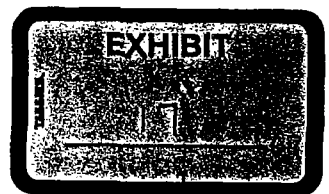
Section 4. This ordinance is hereby declared to be an emergency measure. It is necessary for the preservation of the public peace, order, safety, health and general welfare of the citizens of Madeira that a contract for this service be in full force and effect immediately upon its passage. The reason for this necessity is to eliminate the health hazards which would exist without the proper collection of garbage and waste products.

Adopted this 15th day of November, 1971.


Mayor

ATTEST:


Clerk/Treasurer



MADEIRA CITY COUNCIL

November 15, 1971

This being the annual Youth Week in the City of Madeira, the places of the elected and appointed officials were taken by various Madeira High School senior students who had been elected to these positions by their classmates.

Present at this meeting were James Kyne, serving as Mayor; Kathi Malone, Clerk/Treasurer; Bob Breslin, Solicitor; and the following Councilmen, William Powell; Brian Carleton; Barbara Acomb; Beverly Basile; Karl Basile. Unable to attend were Dave Davis and Mike Wallace. Each of these young people took an active part in the meeting.

The meeting was opened by Mayor Kyne, who led Council and visitors in the Pledge of Allegiance to the flag.

On roll call, Councilmen Reed, Powell (Smith), Carleton (Schneider), Acomb (Thornton), Basile (Ackermann), and Basile (Caldwell) were present.

The minutes of the previous meeting were accepted as submitted.

Councilman Smith questioned the use of signs calling attention to "Vascar in Use" as discussed by the Manager in Item 5 of the report of the last meeting. The Manager informed him that the signs would be posted as soon as the investigation is completed.

CORRESPONDENCE

1. A letter of appreciation from the Madeira-Kenwood Jaycees for the cooperation given by the City to the "Paula Day Auction-Talent Show", which was held in connection with the purchase of a dialysis machine for Miss Paula Jablonka.
2. A letter to Chief Wallace, expressing appreciation for the prompt action of his department at the recent hold-up attempt at the Kenwood Corner Delicatessen.

ORDINANCES AND RESOLUTIONS

Ordinance #1066 ENACTED BY THE CITY OF MADEIRA, OHIO, IN THE MATTER OF IMPROVING THE INTERSECTION OF KENWOOD ROAD AND EUCLID ROAD BY WIDENING UNDER THE SUPERVISION OF THE OHIO DIRECTOR OF HIGHWAYS was presented for the third reading. It was moved by Smith, seconded by Ackermann, that Ordinance #1066 be passed in its present form. Manager Babe reported the State office would like to have a copy of this ordinance as soon as possible so the work could be initiated. On roll call, all voted aye and the motion passed.

Ordinance #1073 AUTHORIZING THE MANAGER OF THE CITY OF MADEIRA, OHIO, TO RENEW THE CITY'S FIRE PROTECTION CONTRACT WITH THE MADEIRA AND INDIAN HILL FIRE COMPANY was presented for the first reading. It was moved by Ackermann, seconded by Smith, that the required three readings under provisions of the Madeira Home Rule Charter be waived. All voted aye. Mr. Smith asked for an explanation of the lower cost of this contract. Manager Babe replied there had been an overlap in the services required last year due to the annexation and that we had assumed some of these costs; however, this year it was a straight contract for the year and the cost was appropriated according to the valuation of the property. It was moved by Ackermann, seconded by Caldwell, that Ordinance #1073 be passed in its present form. All voted aye.

Ordinance #1074 NOTING THE CITY OF MADEIRA ADVERTISED FOR BIDS FOR THE COLLECTION AND DISPOSITION OF TRASH AND WASTE FOR A PERIOD OF TWO YEARS BEGINNING DECEMBER 15, 1971, AND SAID BIDS BEING OPENED NOVEMBER 10, 1971, AND THAT OF CLERMONT WASTE COLLECTION IN THE AMOUNT OF \$140,000.00 BEING CONSIDERED THE LOWEST AND BEST BID BY THIS COUNCIL, THE CITY MANAGER IS HEREBY DIRECTED TO ENTER INTO A CONTRACT WITH THIS BIDDER, MAKING THE SPECIFICATIONS ON WHICH THE BID WAS BASED A PART OF THIS CONTRACT. This ordinance was presented for the first reading. Manager Babe briefed Council as to the procedure in acquiring this bid and then asked for the waiving of the three readings. He noted he had advertised to thirteen companies and had two alternate bids, including separate newspaper pick-up. The firms of Rumpke, Whaley Sanitation, and Clermont had responded to all bids. Mr. Babe advised Council that Clermont Waste Collection, who had done business with the City before on a very favorable basis, now has seven new trucks and is very interested in the contract. Their bid being considered the lowest and best, he was recommending it be accepted by Council. He noted the contract price is up 8% over the last contract for the two year period. It was then moved by Smith, seconded by Caldwell, that the required three readings under provisions of the Madeira Home Rule Charter be waived. All voted aye. It was moved by Caldwell, seconded by Ackermann, that Ordinance #1074 be passed in its present form. The motion passed.

COMMITTEE REPORTS

Public Works (Reed)

1. Mr. Reed advised Council the situation regarding builder Joseph Nordloh had been resolved by the Public Works Committee and a permit would be issued. The Nordloh interest will pave the street where their property is situated if and when it is completed by the City or a private contractor.

Planning, Zoning and Research (Schneider)

1. Mr. Schneider noted there was another annexation petition being processed and that some additional parts of the Kenwood area would be requesting to join the City.
2. Advised there would be a meeting between the members of the Board of Education and the Council on December 6th at 7:00 p.m. to discuss ways to increase the City's tax base.
3. Noted that any changes that are being considered for the City Charter should be written and acted upon early in 1972 so that they could be incorporated in the next public election. A meeting will be held Tuesday, November 23rd at 8:00 p.m.

Recreation (Caldwell)

1. Mr. Caldwell noted the Recreation Boards of several communities in Hamilton County had met to determine if there is any interest in inter-city recreation programs and another meeting would be scheduled to work out details.
2. Reported that pee-wee basketball program would start December 4th and that the High School gym would be open on Saturdays for a program of sports for the young people as had been done in the past.

REPORT FROM THE MAYOR

1. Mayor McDonald advised Council the court session had netted \$2,054.00 in costs and fines and presented a check for that amount to the Clerk/Treasurer.

REPORT FROM THE MANAGER

1. The Camargo Road Slide Repair would be initiated soon.

2. Reported on the present situation at the Hosbrook and Montgomery Road intersection and noted the contract work being done across the street had resulted in some ideas of widening Hosbrook or straightening it in order to meet with the dead-end street which is being put in for the business complex on the other side of Montgomery Road. Talks between the contractor, the State, and the City of Madeira will have to be accomplished before any work is initiated. He also reported that the process of installing a traffic light at that intersection is still going forward. Mr. Reed suggested there was no need to widen Hosbrook because we did not want the traffic increased and this should be discouraged. The Manager said the new retail activity across the street would make it mandatory to do something about it since the road would be used whether we liked it or not. Mr. Reed said, in his opinion, if this traffic is going to increase, then Hosbrook Road would have to be improved because it is a bad situation as it is. Mr. Thornton noted that the City had this problem for a number of years and it probably would not be alleviated until something was done to improve it.

A discussion of what might take place in the future was held with ideas by Mr. Schneider, Mr. Thornton, and Mr. Reed.

3. Reported that he had not yet been able to accomplish the traffic light synchronization on Miami Avenue as mentioned at the last meeting because the contractor had not been able to start; however, it should be done in the near future.

4. Noted that a resolution for situations similar to the Nordloh matter on Railroad Avenue would have to be promulgated.

5. Reported that Patrolman Pope had volunteered to take 70 hours of schooling at the university during his vacation. The federal government paid the bill and Patrolman Pope was #2 in his class with an overall average of 92.5. He said this indicated outstanding work on Patrolman Pope's part and he was very pleased.

OLD BUSINESS OF COUNCIL

Mr. Smith inquired into proposed Ordinance #1068 regarding sanitary sewers. Mr. Ackermann replied it would be back in a new form in the very near future as would proposed Ordinance #1071, regarding minibikes.

Mr. Smith noted that Page 2 of the Recreation Board minutes of their meeting of October 28th commented on a report which he had not seen and asked if he would get a copy. Mr. Caldwell replied in the affirmative.

Mayor McDonald asked the Planning and Zoning Committee to look into any Charter revisions necessary in order to eliminate the use of the Coleman Counting System in future elections and briefed Council on his feelings about this matter. He also noted the matter would probably come up before the Hamilton County Municipal League at their upcoming meeting.

Mr. Schneider noted the Coleman System is indeed very accurate but that it is only as accurate as the tape which is fed into it in order to make the counting possible. He then discussed the provisions of the Madeira Home Rule Charter and several ways in which we could try to improve the vote reporting system in the City.

Mr. Reed suggested not moving too hastily to criticize the system that has proved to be very accurate and tamper-proof even if it is slow. Mr. Caldwell said there was a very vital need for the element of reliability which the Coleman System does and that the errors were all human errors made at the Board of Elections in trying to program for this election.

Mr. Smith suggested the Board of Elections should hire absolutely certified, efficient help or get rid of the Coleman System and go back to a hand-counting system, which can be done by an average person.

City Manager Babe referred to the students sitting in Council the question of current vandalism by Madeira's younger residents that is costing the City so much money. Mayor Kyne suggested more scheduled activities might cut down on the vandalism, but Colonel Babe reminded him this activity is happening at scheduled events as much as at unscheduled times. A discussion of what feeling the students have for others in groups who do there acts of vandalism was then held. The consensus of opinion was that a student should express his feelings about the vandalism and attempt to curb it.

Kathi Malone suggested giving jobs of responsibility to the students who would then feel like it was "their City" and possibly this would have something to do with it.


The discussion of what could be done to have a closer rapport with the Police Department and the young people of Madeira then began. Mr. Breslin suggested that the Police Department could be more courteous to the young people in their contacts and not be, in his words, quite so arrogant. He thought that if the students who were being contacted by the Police Department were treated more like adults, perhaps there would be a better situation all the way around.

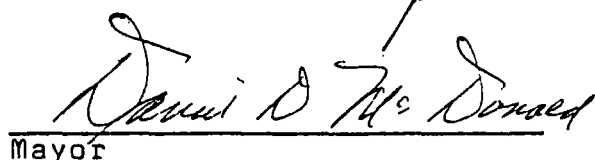
A discussion of how to get this type of feeling between the students and the Police Department was then held and several ideas were put forth.

The students were invited to discuss these matters with the City Manager, Police Chief, or any member of the official family at any time, and that, indeed, the City officials were most interested in working with the students in these matters.

Mayor McDonald then briefed Council and visitors on the mechanics of government as utilized in the City of Madeira.

Following a question and answer period, there being no further business to come before the Council, the meeting was adjourned.


Clerk/Treasurer


Mayor

✓ 1213173

ORDINANCE NO. 1142

THE CITY OF MADEIRA ADVERTISED FOR BIDS FOR THE COLLECTION AND DISPOSAL OF TRASH AND WASTE FOR A TWO YEAR PERIOD, BEGINNING DECEMBER 16, 1973. THE SAID BIDS WERE OPENED AT 12 NOON ON NOVEMBER 16, 1973, AND AFTER GIVING CONSIDERATION TO ALL FACTORS IN EACH BID, THE BID OF THE CLERMONT WASTE COLLECTION IN THE AMOUNT OF \$150,000.00, WAS CONCLUDED TO BE THE BEST BID BY THIS COUNCIL, AND THE CITY MANAGER IS HEREBY DIRECTED TO ENTER INTO A CONTRACT WITH THIS BIDDER MAKING THE SPECIFICATIONS ON WHICH THE BID WAS BASED A PART OF THE CONTRACT.

WHEREAS, said City has heretofore duly advertised for sealed bids for waste collection service in accordance with the specifications on file in the office of the City Manager of said City, and

WHEREAS, the sealed bid submitted by Betty Gailey, dba Clermont Waste Collection is deemed the best proposal in terms of quality, service and adaptability to the requirements of the municipality, as well as price, Council, after due consideration, has deemed it to be the best bid.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MADEIRA, STATE OF OHIO.


Section 1. The City Manager of said City of Madeira, Ohio, is hereby authorized to execute a contract with Betty Gailey, dba Clermont Waste Collection, on the basis of the specifications which were made a part of the bid and a copy of which is attached hereto and made a part hereof.

Section 2. The contract covers that work outlined in the Legal Notice which are entitled " Primary Bid"

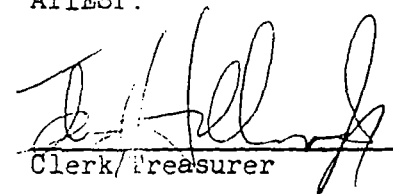
Section 3. The contractor cannot assign or transfer this contract without the prior written consent thereto of the City and this contract is subject to termination upon ninety (90) days prior written notice by either party to the other.

Section 4. This ordinance is hereby declared to be an emergency measure, It is necessary for the preservation of the public peace, order, safety, health and general welfare of the citizens of Madeira that a contract for this service be in full force and effect immediately upon its passage. The reason for this necessity is to eliminate the health hazards which would exist without the proper collection of garbage and waste products.

Adopted this 3rd day of December, 1973.


Mayor

ATTEST:


Clerk/Treasurer

MADEIRA CITY COUNCIL

3 December 1973

The meeting was called to order at 8:00 p.m. by Daniel D. McDonald who has served as Mayor for the preceeding two years and was sitting as temporary chairman until a new Mayor was chosen. The Invocation was given by the Reverend Louis S. Lunardini, Madeira Presbyterian Church, following which the Pledge of Allegiance to the flag was led by Mr. McDonald.

The chairman then recognized retiring Councilman Wendell Sininger who commented on his two year term of Council service and thanked all for their help and assistance during this period. Mr. McDonald then presented Mr. Sininger with the deskplate which had been on his desk for the past two years and a certificate as Honorary Member of Council.

Judge Robert Black, Hamilton County Court of Common Pleas, was then introduced by Mr. McDonald. Judge Black commented on his appreciation at being invited to participate in the ceremonies as he is a resident of an adjacent community, following which the seven men elected to Council for the 1974-1975 term were sworn in by Judge Black.

Mr. McDonald then asked for a motion appointing a Councilman to serve as Mayor during this term of office. It was moved by Caldwell, seconded by Ackermann, that Daniel D. McDonald be appointed Mayor for the ensuing two year term. On voice vote, all voted aye.

Mayor McDonald then asked for a motion appointing a Councilman to serve as Vice Mayor during the 1974-1975 term. It was moved by Caldwell, seconded by Schneider, that Allen M. Reed be appointed Vice Mayor for this term of Council. On voice vote, all voted aye.

Mayor McDonald then asked for a motion appointing a Clerk/Treasurer to serve during this term of office. It was moved by Caldwell, seconded by Schneider, that Edward Hillman, Jr. be appointed Clerk/Treasurer for the present term of Council. On voice vote, all voted aye.

The Mayor then asked for a motion appointing a Solicitor to serve during this term of office. It was moved by Reed, seconded by Ackermann, that George F. Patterson, Jr. be appointed Solicitor for the next term of Council. On voice vote, all voted aye.

The Mayor then asked for a motion appointing an Assistant to the Solicitor to serve during this term of office. It was moved by Caldwell, seconded by Oppenheimer, that Stanley Rozic be appointed Assistant to the Solicitor for the next term of Council. On voice vote, all voted aye.

ORDINANCES AND RESOLUTIONS

Ordinance No. 1144 APPOINTING A CLERK/TREASURER; AND DECLARING EMERGENCY was presented for the first reading. It was moved by Caldwell, seconded by Schneider, that the required three readings under provisions of the Madeira Home Rule Charter be waived. On roll call, all voted aye. It was moved by Caldwell, seconded by Ackermann, that Ordinance No. 1144 be passed in its present form. On roll call, all voted aye.

Ordinance No. 1145 APPOINTING A SOLICITOR; AND DECLARING EMERGENCY was presented for the first reading. It was moved by Ackermann, seconded by Caldwell, that the required three readings under the provisions of the Madeira Home Rule Charter be waived. On roll call, all voted aye. It was moved by Caldwell, seconded by Ackermann, that Ordinance No. 1145 be passed in its present form. On roll call, all voted aye.

Ordinance No. 1146 APPOINTING AN ASSISTANT TO THE SOLICITOR was presented for the first reading. It was moved by Caldwell, seconded by Oppenheimer, that the required three readings under provisions of the Madeira Home Rule Charter be waived. On roll call, all voted aye. It was moved by Caldwell, seconded by Ackermann, that Ordinance No. 1146 be passed in its present form. On roll call, all voted aye.

Following the passage of the necessary ordinances, the oath of office was administered to Mayor McDonald, Vice Mayor Reed, Clerk/Treasurer Hillman, Solicitor Patterson, and Assistant Solicitor Rozic by Judge Black.

Comments from the Mayor, Councilmen, and all appointed officials were then heard. Each man was brief, but voiced his appreciation for the honor granted him and promised to perform the job faithfully and efficiently.

Standing committees of Council, with chairman as follows, were then appointed by the Mayor. Safety Committee: Russell A. Ackermann, Chairman; Public Works Committee: Allen M. Reed, Chairman; Laws and Contracts and Public Utilities Committee: P. Douglas Oppenheimer, Chairman; Recreation and Parks Committee: Harold Caldwell, Chairman; Public Land and Buildings Committee: Arthur Smith, Chairman; Planning, Zoning and Research Committee: Carl A. Schneider, Chairman; Finance Committee: Daniel D. McDonald, Chairman; Intergovernmental Relations Committee: Daniel D. McDonald and Allen M. Reed. This new committee will handle such subjects as municipal leagues, O-K-I, police and fire associations, etc.

The Benediction was then given by Father Joseph Gilsenan, O.P., Pastor of St. Gertrude's Church, following which a short recess was declared.

The meeting was called back to order by Mayor McDonald at 8:40 p.m.

CORRESPONDENCE

A letter from the Madeira Historical Society asking permission to locate an antique caboose which has recently been purchased, next to the B & O Depot which is currently being administered by the Madeira Historical Society. It was moved by Caldwell, seconded by Reed, that the Historical Society be granted permission to place the caboose on a site adjacent to the depot as long as it meets the safety standards of the City and the Baltimore and Ohio Railroad Company. On voice vote, all voted aye.

A letter was received from the Ohio-Kentucky-Indiana Regional Planning Authority asking for a nomination for one member of Madeira Council to be named to the current Board of Trustees of O-K-I. It was moved by Ackermann, seconded by Schneider, that Allen M. Reed be appointed to this position for the next term of Council. On voice vote, all voted aye and the Clerk was requested to advise O-K-I of the action taken. (This was accomplished 12/4/73)

The minutes of the previous meeting were accepted with corrections.

ORDINANCES AND RESOLUTIONS

Ordinance No. 1127 having to do with the property at the corner of Euclid and Camargo Roads was referred to the next meeting of Council. The Solicitor advised Council that everything appears to be about ready to roll on this (Nile Hayes matter). The Mayor suggested that the whole transaction be gone over carefully since it has been so long since it has been discussed.

Ordinance No. 1138 THE DISTRICT ADVISORY COUNCIL OF THE HAMILTON COUNTY, OHIO, GENERAL HEALTH DISTRICT HAVING PRESENTED TO THE CITY OF MADEIRA, A CONTRACT PROVIDING PUBLIC HEALTH SERVICES TO THE CITY OF MADEIRA AT A COST DURING THE YEAR 1974 OF \$8,800.00 was presented for the third reading. It was moved by Caldwell, seconded by Schneider, that Ordinance No. 1138 be passed in its present form. On roll call, all voted aye.

Ordinance No. 1139 AMENDING THE CODE OF ORDINANCES OF THE CITY OF MADEIRA, TITLE VII, SECTION 56, PARAGRAPH (c), BY SUBSTITUTING THE WORDS "ONE HUNDRED SIXTY EIGHT (168)" FOR THE WORDS "SEVENTY TWO (72)" WHERE THEY APPEAR IN SAID PARAGRAPH was presented for the third reading. The Solicitor noted he would amend the language slightly to fit into the new Madeira Codification Ordinance. It was then moved by Caldwell, seconded by Smith, that Ordinance No. 1139 be passed in its present form. On roll call, all voted aye.

Ordinance No. 1140 ADDING TO THE CODE OF ORDINANCES OF THE CITY OF MADEIRA, OHIO, TITLE XIII, GENERAL OFFENSES, BY ADDING CHAPTER 137, REGISTRATION OF CONVICTED PERSONS was presented for the second reading. Failing to get a motion or second for passage to the third reading, no further action could be taken on this ordinance and the Solicitor said this nulled any action taken previously. Therefore, the ordinance will not become law in its present form.

Ordinance No. 1142 THE CITY OF MADEIRA ADVERTISED FOR BIDS FOR THE COLLECTION AND DISPOSAL OF TRASH AND WASTE FOR A TWO YEAR PERIOD, BEGINNING DECEMBER 16, 1973. THE SAID BIDS WERE OPENED AT 12 NOON ON NOVEMBER 16, 1973, AND AFTER GIVING CONSIDERATION TO ALL FACTORS IN EACH BID, THE BID OF THE CLERMONT WASTE COLLECTION IN THE AMOUNT OF \$150,000.00, WAS CONCLUDED TO BE THE BEST BID BY THIS COUNCIL, AND THE CITY MANAGER IS HEREBY DIRECTED TO ENTER INTO A CONTRACT WITH THIS BIDDER MAKING THE SPECIFICATIONS ON WHICH THE BID WAS BASED A PART OF THE CONTRACT. It was moved by Reed, seconded by Smith, that Ordinance No. 1142 be passed to the third reading. Manager Babe then requested emergency passage of this legislation in order that the contract could become effective on the necessary date (December 16th). Mr. Reed asked whether a two week extension by the present contractor could not be entered into in order to allow the normal passage of this ordinance. On roll call vote, there were four nays and three ayes, whereupon the motion to pass to the third reading failed. It was then moved by Schneider, seconded by Ackermann, that the requirement for three readings of this ordinance be waived. On roll call vote, there were six ayes, Mr. Reed voted nay, and the motion passed. It was then moved by Schneider, seconded by Ackermann, that Ordinance No. 1142 be passed in its present form. On roll call, all voted aye.

Mr. Schneider then commented on the action that had yet taken place and the non-necessity of it in the future. He noted that this type of ordinance does not need three readings under the provisions of the Madeira Home Rule Charter and thought it would help Council in their work to clear this matter up before the new term got under way. The Solicitor said it was his opinion that whenever City funds were expended, three readings of the ordinance are necessary unless waived. A discussion of the legal technicalities involved in waiving the three readings or only reading an ordinance once then ensued. The Solicitor will investigate further and report to Council.

Ordinance No. 1143 AMENDING SECTION 28 OF ORDINANCE NO. 950, KNOWN AS THE TRAFFIC CODE OF THE CITY OF MADEIRA, BY ADDING A SECOND PARAGRAPH COVERING RECKLESS OPERATION OFF HIGHWAYS AND COMPETITIVE OPERATION was presented for the second reading. The Solicitor slightly amended the language in order to have this ordinance fit into the Madeira Codification Ordinance, following which it was moved by Caldwell, seconded by Oppenheimer, that Ordinance No. 1143 be passed to the third reading. On roll call, all voted aye.

Ordinance No. 1147 ESTABLISHING A SPECIAL FUND KNOWN AS COMMUNITY SERVICES OFFICER SPECIAL REVENUE NO. 27 FOR THE CITY OF MADEIRA, OHIO, AND APPROPRIATING FUNDS THERETO was presented for the first reading. Manager Babe briefed Council on why the City needs this ordinance and asked that it be passed as an emergency measure. The Solicitor recommended we waive the three readings. It was moved by Caldwell, seconded by Smith, that the required three readings under provisions of the Madeira Home Rule Charter be waived. On roll call, all voted aye. It was moved by Caldwell, seconded by Schneider, that Ordinance No. 1147 be passed in its present form. On roll call, all voted aye.

COMMITTEE REPORTS

Laws and Contracts (Oppenheimer)

The Mayor noted that Mr. Oppenheimer had been appointed to head this committee and asked him and his committee to work closely with the Manager to get the HUD flood insurance program going if at all feasible for Madeira. Mr. Babe said there were two resolutions needed before it can be put into operation and these will be handled by the Solicitor in the very near future.

Mr. McDonald then asked for nominations for two Councilmen to be appointed to the Madeira Planning Commission for the next two years as the terms of Mr. Schneider and himself expired with the last term of Council. It was moved by Reed, seconded by Ackermann, that Daniel D. McDonald and Carl A. Schneider be appointed to the Madeira Planning Commission for two year periods ending November 30, 1975. On voice vote, all voted aye. Clerk to notify Chairman of the Planning Commission.

Mr. McDonald then discussed the need for a member of Council to the the City's representative on the Board of Directors of the Madeira and Indian Hill Fire Company for one year term. It was moved by Reed, seconded by Schneider, that Russell A. Ackermann be appointed the City's representative on the Board of Trustees of the Madeira and Indian Hill Fire Company. Mr. Smith suggested the chairman of the Safety Committee should always be the representative, but the Solicitor said this was not legal because you have to appoint a person by name each time unless this would be later written into the Charter. Clerk/Treasurer to advise Mr. H. W. Nichols, Jr. of the appointment of Mr. Ackermann, with a copy to the secretary of the board.

The Mayor noted that the Madeira Jaycees have submitted a staff study on recycling which had been requested of them last year and this had been referred to the Chairman of the Laws and Contracts Committee.

Mayor McDonald also noted the Planning Commission had submitted a Five Year Capital Improvement Program which would be circulated to government officials.

REPORT FROM THE MANAGER

1. Proposed the 1974 budget and asked for comments. Total budget will be \$861,221.00 according to the present figures.

Mr. McDonald called a meeting of the Finance Committee for Wednesday, December 5th, at 7:00 p.m. to make a preliminary appraisal of the proposed budget.

2. Advised Council that a child's gift shop, called Small World, would be in business at the Convenient Mart shopping center on Laurel Avenue. This is sponsored by the Distributive Education Office of Indian Hill school system and will be a place where children may buy presents for their parents with help from adults. It is an innovation and Mr. Babe said he feels it should be supported enthusiastically.

3. Advised that the street striper had been received on November 30th and as soon as a training period for operators was finished, the stripers will be put into operation.

4. Noted the Chief of Police has returned from the hospital with a clean bill of health.

5. Discussed the action of the Madeira Planning Commission at their last meeting at which they held a public hearing and then voted against the rezoning of certain property northwest of I-71 and south of Euclid Avenue from Residence AA to Business O. Mr. Babe said we would head a public hearing to conform with the Charter.

Mr. Patterson noted that the group owning this property may request no public hearing be held because they possibly are entertaining other plans for the property at this time. However, the legality of the matter makes a meeting mandatory and it was scheduled for 8:00 p.m., January 21, 1974.

At this time, the Clerk/Treasurer read into the record the letter from Chairman Mosbacher, dated November 27, 1973, advising Council of the action of the Planning Commission on November 26, 1973.

REPORT FROM THE MAYOR

1. Asked for a status report on the crosswalk ordered for the top of Sycamorehill Lane. The Manager said it was now in process and would be finished shortly.
2. Questioned the status of the sewer on Southside at Maple. The Manager said it is apparently operating efficiently at this time.
3. Asked about the transfer of any funds from Columbia Township to the City of Madeira following the annexation of many months ago. The Solicitor and the Manager have been working on this problem with the County Auditor and the money should be forthcoming at an early date.
4. Noted that it was time to enter into some type of negotiations with St. Gertrude's Church for use of their ballfields in the summer the same as we do with the Madeira Board of Education. The Manager said this would be discussed by St. Gertrude's director of that group and a decision relayed to the City.
5. Asked about the burglar alarm system which had been proposed for Madeira. Mr. Babe said the company supplying the pagers for this equipment said they would be available very shortly and then we could get started on the final evaluation.
6. Noted that the Jaycees have asked for permission to operate a table tennis school in the basement of the Municipal Building. The Manager said we are discussing this now, but there are several problems involved in the large tables needed.
7. Discussed the status of the acquisition of park land and noted that there has been some action in this, that one parcel has already been agreed upon and another is close to agreement on price.
8. Questioned the Manager as to the disposition of the old Jeep offered for sale by the City recently on closed bid. He was advised that it had been sold to the top bidder at \$15.00.

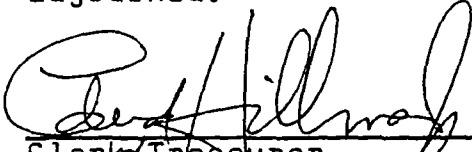
NEW BUSINESS OF COUNCIL

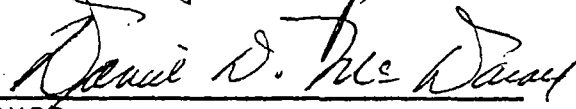
Mr. Smith

1. Suggested remarking Laurel Avenue in the vicinity of the post office in order to move the center line over so that a car passing a parked car would not have to cross the center line. Mr. Smith said this makes this passing an illegal move in the instance of an accident and we could aid Madeira citizens and other using this street by simply moving the center line some feet to one side.
2. Questioned the Manager about the vandalism which occurred at the park recently and was told that the electrical wiring had been disturbed and there had been some paint applied which has already been removed.
3. Asked about the bicycle paths on Kenwood Road. The answer was given by the Manager and several Councilmen that we could not have an adequate bike path unless we could buy land for the path because it was the consensus of opinion that painting a stripe on a busy thoroughfare did not really protect a person riding a bicycle.

Mr. Schneider then discussed the recent action of Judge Gusweiler in reversing the decision of the Board of Hamilton County Commissioners to not allow rezoning of the northeast corner of Montgomery and Galbraith Roads. It was moved by Schneider, seconded by Caldwell, that a letter be directed to the Board of Hamilton County Commissioners explaining the City of Madeira's deep concern over the reversal of their decision and asking for an appeal by the Board. The Clerk/Treasurer instructed to prepare a letter to be sent to the Board as soon as possible. (This was accomplished on 12/6/73)

There being no further business to come before the meeting, it was adjourned.


Clerk/Treasurer


Mayor

sk

ORDINANCE NO. 1221

THE CITY OF MADEIRA ADVERTISED FOR BIDS FOR THE COLLECTION AND DISPOSAL OF TRASH AND WASTE FOR A TWO YEAR PERIOD, BEGINNING DECEMBER 16, 1975. THE SAID BIDS WERE OPENED AT 12 NOON ON NOVEMBER 10, 1975, AND AFTER GIVING CONSIDERATION TO ALL FACTORS IN EACH BID, THE BID OF THE CLERMONT WASTE COLLECTION IN THE AMOUNT OF \$168,000.00 WAS CONCLUDED TO BE THE BEST BID BY THIS COUNCIL, AND THE CITY MANAGER IS HEREBY DIRECTED TO ENTER INTO A CONTRACT WITH THIS BIDDER MAKING THE SPECIFICATIONS ON WHICH THE BID WAS BASED A PART OF THE CONTRACT.

WHEREAS, said City has heretofore duly advertised for sealed bids for waste collection service in accordance with the specifications on file in the office of the City Manager of said City, and,

WHEREAS, the sealed bid submitted by Betty Gailey, dba Clermont Waste Collection is deemed the best proposal in terms of quality, service and adaptability to the requirements of the municipality, Council, after due consideration, has deemed it to be the best bid.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MADEIRA, STATE OF OHIO:

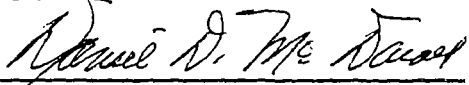
Section 1. The City Manager of said City of Madeira, Ohio, is hereby authorized to execute a contract with Betty Gailey, dba Clermont Waste Collection, on the basis of the specifications which were made a part of the bid and a copy of which is attached hereto and made a part hereof.

Section 2. The contract covers the work outlined in the Legal Notice.

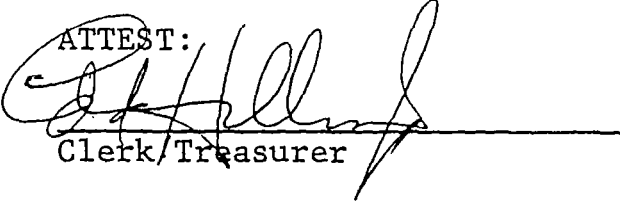
Section 3. The contractor cannot assign or transfer this contract without the prior written consent thereto of the City and this contract is subject to termination upon ninety (90) days prior written notice by either party to the other.

Section 4. This ordinance is hereby declared to be an emergency measure. It is necessary for the preservation of the public peace, order, safety, health and general welfare of the citizens of Madeira that a contract for this service be in full force and effect immediately upon its passage. The reason for this necessity is to eliminate the health hazards which would exist without the proper collection of garbage and waste products.

Adopted this 17th day of November, 1975.


Mayor

ATTEST:


Clerk/Treasurer

EXHIBIT

18

MADEIRA CITY COUNCIL

17 November 1975

This week having previously been proclaimed Youth Week in Madeira, tonight's Council meeting was the annual "Student Government" night and each elected and appointed official of Madeira Council had a student counterpart. The students had been elected after a strenuous campaign and election at Madeira High School. The students participating were all members of the Senior Class. The following students were elected to the respective jobs: Mayor, Walter Klimecki; Clerk, Steve Soper; Treasurer, Bob Greenburg; Solicitor, Jan Patterson; City Manager, Susan Kneidl; Police Chief, Mark Pickleheimer; Members of Council, Steve Brill; Debbie McCreary; Cari Coler; Bill Deters; Matt Bostwick; Leah Glick; and Betsy Cook.

An innovation had been instituted this year wherein those students whose counterparts hold full time jobs in the City Government were invited to sit with their counterparts throughout the day, working with them, helping with decisions, and taking care of the normal office routine. Accordingly, Susan Kneidl acted as City Manager; Mark Pickleheimer worked with the Police Chief; and the financial matters of the City were cared for by Steve Soper and Bob Greenburg who worked with the Clerk/Treasurer.

At the Council meeting this evening, the students took part in all deliberations and performed the usual functions of their adult counterparts. There also was open discussion on several topics in which they voiced their personal opinions. All of this subject matter is recorded in these minutes and thereby entered officially into the records of the City of Madeira.

The meeting was called to order at 8:00 p.m. by Mayor Walter Klimecki, who introduced the Reverend Richard Lambert, Madeira Baptist Church, who gave the Invocation. Following this, Mayor Klimecki led Council and visitors in the Pledge of Allegiance to the flag.

Clerk Steve Soper called the roll and all elected and appointed officials were present.

The minutes of the previous meeting were accepted with minor corrections.

CORRESPONDENCE

A letter from the Ohio-Kentucky-Indiana Regional Council of Governments was received in which that body asked for an appointment of a representative to the Board of Trustees of O-K-I for the 1976 term. It was moved by Cook (Oppenheimer), seconded by Bostwick (Caldwell), that Allen M. Reed again be appointed to this position. On voice vote, all voted aye and Mr. Reed was appointed to act as Madeira's representative on the Board of Trustees of O-K-I. The Clerk was directed to notify O-K-I of this appointment.

ORDINANCES AND RESOLUTIONS

Ordinance No. 1221 THE CITY OF MADEIRA ADVERTISED FOR BIDS FOR THE COLLECTION AND DISPOSAL OF TRASH AND WASTE FOR A TWO YEAR PERIOD, BEGINNING DECEMBER 16, 1975. SAID BIDS WERE OPENED AT 12 NOON ON NOVEMBER 10, 1975, AND AFTER GIVING CONSIDERATION TO ALL FACTORS IN EACH BID, THE BID OF THE CLERMONT WASTE COLLECTION IN THE AMOUNT OF \$168,000.00 WAS CONCLUDED TO BE THE BEST BID BY THIS COUNCIL, AND THE CITY MANAGER IS HEREBY DIRECTED TO ENTER INTO A CONTRACT WITH THIS BIDDER MAKING THE SPECIFICATIONS ON WHICH THE BID WAS BASED A PART OF THE CONTRACT was presented for the first reading. Manager Babe briefed Council and visitors on this transaction. He noted that he had invited several bids from waste collection companies in the area, but only two had been received in return. These were: Rumpke, Inc. (\$167,760.00); Clermont Waste Collection (\$168,000.00). Although it will be noted that the bid of the Rumpke Company was slightly lower than that of Clermont Waste Collection, the Manager is recommending that the contract with Clermont Waste Collection be continued because of the City's experience with this firm.

They have been collecting garbage for Madeira for several years; they have provided very satisfactory service; and it would cause disruption to that service to have a new firm undertake the collection. These reasons indicate it would not be feasible to change contractors in order to save a couple of Hundred dollars. It was moved by Glick (Ackermann), seconded by Bostwick (Caldwell), that the required three readings under provisions of the Madeira Home Rule Charter be waived. On roll call vote, all voted aye. It was moved by Glick (Ackermann), seconded by Bostwick (Caldwell), that Ordinance No. 1221 be passed in its present form. On roll call vote, all voted aye.

Ordinance No. 1222 AMENDING THE ANNUAL APPROPRIATION ORDINANCE NO. 1184 PROVIDING FOR CURRENT EXPENDITURES FOR THE YEAR ENDING DECEMBER 31, 1975 was presented for passage. Mr. Babe explained that this was a routine ordinance needed at the end of each year in order to balance the funds within the General Fund before the close of books on December 31st. It was moved by Brill (Reed), seconded by McCreary (Smith), that Ordinance No. 1222 be passed in its present form. On roll call vote, all voted aye.

Student Solicitor Patterson then asked for the floor and read a proclamation of appreciation to the senior members of Council and appointed officials for the interest taken in providing this evening's activities for the student government. Following the reading, it was so proclaimed by Mayor Klimecki and copies of this proclamation, signed by all of the student government, were presented to each of the elected and appointed officials.

COMMITTEE REPORTS

Recreation (Bostwick/Caldwell)

1. Noted that the City will be given Bicentennial City status on December 9th with appropriate ceremonies at the City Building beginning at 7:30 p.m.
2. Noted the Christmas celebration in the City would begin on December 14th with the arrival of Santa Claus at the depot.
3. Presented the Madeira Recreation Board's budget recommendations to the Madeira City Council for 1976.

Safety (Glick/Ackermann)

1. Presented the rough draft of the final report of the Safety Committee Task Force which had previously been accepted by Council. It was moved by Glick (Ackermann), seconded by Bostwick (Caldwell), that the report be accepted. Councilwoman McCreary (Smith) asked what was meant by Item B, Page 2. She was informed that changing the position of the double yellow line on Shawnee Run Road would result in the disruption of the bicycle path network in that area. Mr. Smith then asked what was the final disposition of the dog situation. Mr. Ackermann replied that was not a subject of this report which had been strictly concerned with pedestrian safety. On voice vote, all voted aye and the report was accepted.

Public Works (Brill/Reed)

1. Discussed the meeting held with Mr. Babe, Mr. Reed and Mr. Duckett concerning the Cherokee sewage situation and noted that final results will be documented and made available to the Council and the Cherokee residents as soon as it can be accomplished.

REPORT FROM THE MAYOR

1. Asked the Solicitor for guidelines on the sunshine bill which will become law at the end of the month. The Solicitor said they will be finished and disseminated in time.
2. Turned over to the Clerk/Treasurer court receipts in the amount of \$2,718.00.

3. Asked the Safety Committee what disposition had been made of the request to do away with the right turn on red at the Miami and Galbraith Road intersection. Mr. Ackermann replied that it had been decided to let this remain as it is with right turn on red permitted. Mr. Babe noted that he had received several comments from citizens living in the area who had asked that this privilege not be revoked as it was helping traffic all along Galbraith Road and it did not appear to be a safety hazard at this time. Mr. Smith said he had no comment on the right turn situation, but noted that loose gravel was appearing on Galbraith at Miami after each rain and asked that it be investigated. It was then moved by Glick (Ackermann), seconded by McCreary (Smith), that the Manager's recommendation be accepted. Mr. Oppenheimer noted he had surveyed the intersection to see if violations occur. Mr. Babe informed Mr. Oppenheimer that the Police Department was already accomplishing this in routine fashion and would enforce the law as it is on the books. Mr. McDonald said he was still in favor of removing the right turn on red privilege at this specific intersection in line with the request from the citizen who had originally instituted it and asked that Council not approve it. On voice vote, there were five ayes and two nays, Mr. Oppenheimer and Mr. McDonald voting no. At a requested show of hands, the same vote occurred, being five in favor and two negative.

Solicitor Patterson then presented to the Clerk the deed for the Hosbrook property which is now the property of the City of Madeira, as provided for in the terms of Miss Nelle Hosbrook's will. The Solicitor said that a tax exemption for municipal property will be arranged as soon as possible, but that we would have to pay the final taxes due on this property between the time it was willed to the City and the deed registered in the City's name. Councilman Smith said he thought the Hosbrook bird sanctuary should be placed under the Buildings and Grounds Committee for survey and maintenance arrangements. Mr. Babe said now that the City officially owned the property, it was his intention to clean it up so that it could be utilized by the citizens, however, he was having the guidance of Mr. Al Block who is refurbishing the Hosbrook home and who also is an expert on horticulture. Mr. Block had agreed to help him identify the plants in the preserve which should be protected and those which could be removed as weeds.

REPORT FROM THE CITY MANAGER

1. Reported to Council that after a complete research on the subject, he and the Police Chief are of the definite opinion that no arrests can be made in the matter of political signs being placed on utility poles unless the violations are actually seen by the arresting officer or in the instance that a citizen who notices the violation is willing to sign a complaint against the violator. Mr. Babe noted the Police Department did remove many signs as they were able to in the course of their regular duties. Mr. Smith said, in his opinion, if the Police Department is not able to remove these signs, the Service Department can and should be called in to do this. If necessary, ladders should be used, but the perpetrators should not be allowed to get away with putting up the signs and leaving them there since that is their only purpose in the first place. Solicitor Patterson said that an ordinance could be written to hold the campaign manager responsible and cite him and that since the City of Cincinnati is considering this action, we should see what they do with the legal aspects of this matter.

2. Reported that C G & E has again advised that rates would go up in the City for gas service in line with the company's escalator clause allowing them to alter the rates to correspond with cost of production.

Police Chief Hudson briefed Council and visitors on his activities this date with student Police Chief Pickleheimer and noted that Mr. Pickleheimer had been of assistance in his office several times during the day.

Chief Hudson also explained the acquisition of the City's new breathalyzer and announced that it is projected that all Madeira policemen eventually will be certified to operate this equipment.

COMMENTS FROM COUNCIL

Mr. Bostwick asked whether there was any concern that the City has only one black student and very few black families in Madeira. Mr. Caldwell noted that these families are welcome in Madeira legally and morally, but they have to have a desire and the ability to move into the City before it would be of concern to the City. This, like any other situation in the racially oriented problems existing in our society today, depends a great deal upon the ability of the person to move into the area to which he aspires.

Mayor Klimecki noted that while the City has no de facto segregation, it most certainly does have economic segregation as Mr. Caldwell had pointed out.

Mr. Bostwick asked for a status report on the City Park. Mr. Babe responded that due to the nonability of the City to purchase the final segment of property (Bronson estate) because of the legal problems following Mr. Bronson's death, we are still at a standstill. However, meetings are continuing with the planners (Vogt, Sage & Pflum) and the actual development should begin in the near future.

Mayor McDonald asked for comments from the students involved in this evening's activities as to their feelings about the "day out of school".

Manager Kneidl said she had learned a lot and had enjoyed it very much. She also appreciated the free lunch.

Miss Coler indicated she had no idea Council spoke on such mundane things as sewers, garbage, and red lights but she thought all of the time was spent in high level policy-making such as what laws should be promulgated. She was most appreciative of the opportunity to observe the activity close at hand.

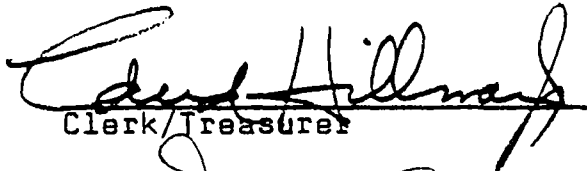
Mr. Oppenheimer discussed what he termed the "Kenwood/Euclid traffic jam" that takes place regularly at certain times of the day. He asked why does the traffic back up at the I-71 intersection and whether we would be getting a traffic light there in the near future. Mr. Babe responded that this is a County and State matter and that it is being studied at the present time. Mr. Oppenheimer indicated there were other problems at this intersection.

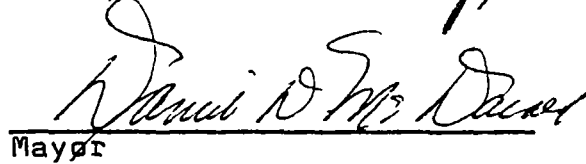
Mr. Oppenheimer indicated that he had been contacted regarding a complaint about the use of a possible rental of an automobile to carry a witness to a trial in downtown Cincinnati. Mr. Babe said this was not so, that he had already looked into the matter, and it was not a rented car. He noted the man involved was reimbursed for the use of his private car in this type of situation. Mr. Oppenheimer asked whether the City needed another car. Mr. Babe said we could use another unmarked car, but there were no funds available at this time and he did not feel that we had a problem. He said, in response to Mr. Oppenheimer's remarks, that there was no report due on this incident, but the Police Chief is making a survey of all aspects of Police Department operation and will make recommendations soon. Chief Hudson said that no vehicle rental was authorized in this case and if it was done, it was done on the person's own responsibility. Mr. Schneider suggested Mr. Oppenheimer go back to the resident who complained and inform her that we pay 10¢ per mile for the use of private automobiles, which is very inexpensive transportation and it is simply "wonderful" that the Police Department will help out in these matters. Mr. McDonald said he could not understand what Mr. Oppenheimer was driving at and what was the lady's concern. Mr. Smith said his concern was whether the policeman who uses his private automobile was covered under the City's liability policy or whether it would have to be his own. Mr. Patterson said there was no concern there because all coverage is adequate and police officers are authorized to use their private automobiles. Mr. Babe asked Mr. Oppenheimer what he really wanted and indicated that we are not renting vehicles except in extreme circumstances. He wondered if Mr. Oppenheimer thought we really needed two unmarked cars. Mr. Oppenheimer said that was his question, whereupon Mr. Babe said the matter was being studied; meanwhile, we will only rent one when we absolutely need it.

Mr. Babe noted there would be a brief critique paper for all students and asked that they help the City in future events of this type by filling it out and returning it. It would be confidential.

Mayor McDonald then described the operating structure of the City and answered questions.

There being no further business to come before the meeting, it was adjourned.


Clerk/Treasurer


Mayor

sk

ORDINANCE NO. 1318

ACCEPTING THE BID OF CLERMONT WASTE, INC. OF 640 SONNY LANE, CINCINNATI, OHIO, 45244 FOR THE COLLECTION AND DISPOSAL OF TRASH AND WASTE FROM THE CITY OF MADEIRA, OHIO, FOR A TWO YEAR PERIOD COMMENCING 16 DECEMBER 1977.


WHEREAS, at the direction of this Council, the City Manager of the City of Madeira has heretofore advertised for bids for the collection and disposal of trash and waste for the City of Madeira, with certain specifications to be met by each bidder; and,

WHEREAS, the sealed bid submitted by Clermont Waste, Inc. is deemed the best proposal in terms of quality, service, and adaptability to the requirements of the City, Council, after due consideration, has deemed it to be the best bid.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Madeira, Ohio:

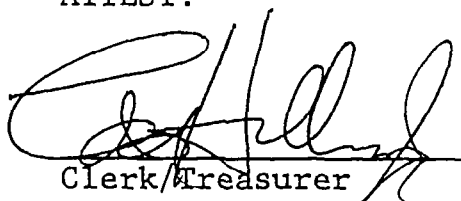
Section 1. That the bid of Clermont Waste, Inc., in the annual installment of \$84,000 for a two (2) year period as submitted in their proposal of 11 November 1977, is the best bid for the City of Madeira, and the City Manager is hereby authorized and directed to enter into a contract with the said Clermont Waste, Inc. for a two (2) year period on the basis of said bid.

Adopted this 21st day of November, 1977.

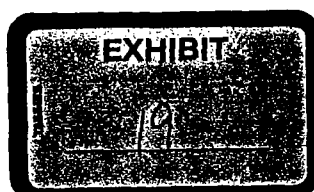


Mayor

ATTEST:



Clerk/Treasurer



MADEIRA CITY COUNCIL

November 21, 1977

The meeting was called to order at 8:00 p.m. by Vice Mayor Allen M. Reed, acting for Mayor Daniel D. McDonald, who is still recuperating at home from surgery.

On roll call members of Council Christie, Atkins, Caldwell, Schneider, Oppenheimer, and Reed were present.

CORRESPONDENCE

1. A letter from Ohio-Kentucky-Indiana Regional Council of Governments, advising the Council that the terms of all current trustees would expire upon convening the annual meeting of O-K-I on January 26, 1978. (Vice Mayor Reed has been acting in this capacity for a number of years.) The letter asked that a new trustee be named as soon as possible and that they be so notified. Mr. Reed said, in deference to the fact that a new Council would be seated, he was holding this matter over to December 5th for action at that time.

2. A letter from John M. Henry, President of the Madeira A.F.S. Chapter, inviting Council and appointed officials to attend a dinner at Madeira Presbyterian Church on Thursday evening, December 1st, in honor of the six A.F.S. students living in the Greater Cincinnati area and attending local schools.

ORDINANCES AND RESOLUTIONS

Ordinance No. 1318 ACCEPTING THE BID OF CLERMONT WASTE, INC., OF 640 SONNY LANE, CINCINNATI, OHIO 45244, FOR THE COLLECTION AND DISPOSAL OF TRASH AND WASTE FROM THE CITY OF MADEIRA, OHIO, FOR A TWO-YEAR PERIOD COMMENCING 16 DECEMBER was presented for councilmanic action. Mr. Babe briefed Council on the invitations to bid, which he had sent out, and the bid proposals, which he had received:

<u>Contractor</u>	<u>Total Bid Price</u>
Clermont Waste, Inc.	\$168,000.00
Rumpke, Inc.	\$178,461.60
Mangham's Waste Collection	\$167,500.00

The Manager then advised Council that, in his opinion, Clermont Waste Collection has been doing a good job for the time they have held the contract, and that their bid was considered the bid. He recommended that it be accepted. It was moved by Schneider, seconded by Oppenheimer, that Ordinance No. 1318 be passed in its present form. On roll call vote, all voted aye.

The minutes of the previous meeting were then submitted, and were accepted with one minor correction.

COMMITTEE REPORTS

Safety (Schneider)

1. Briefed Council on the meeting held by this committee on November 14th. It was moved by Schneider, seconded by Caldwell, that Council approve the report, and ask the Solicitor to modify the proposed ordinance to allow it to be offered for passage at the next meeting. On voice vote, all voted aye.

Visitors were recognized at this time, but no one requested to speak before Council.

CITY MANAGER'S REPORT

1. Noted that he had information pertaining to Mr. Albert Good's letter for Mr. Oppenheimer, which was read at the last Council meeting, regarding the alleged danger spot on Galbraith Road at the entrance to the new Red Lobster restaurant. The Manager said he had talked to the Sycamore Township Trustees, who have primary responsibility for this location, and also with the Hamilton County Commissioners. There is an estimate of \$100,000 to remove one of the two humps in the road and the Commissioners do not feel it is necessary for safety purposes to remove it at this time; therefore, it has not been scheduled.

(Councilman Oppenheimer left the meeting at this point due to a family emergency.)

Mr. Babe noted that warning signals would be placed by the County advising the motorists of the entrance to the restaurant.

2. Noted that at a recent meeting of the management of the Madeira Cork 'N Cleaver restaurant, the persons in charge of the restaurant had noted they are very eager to participate in City activities. They advised that, for starters, they will sponsor a sports team and will work with the Madeira Recreation Board along these lines.

3. Reported that Chief Lewis, of the Madeira and Indian Hill Fire Department, had discussed with all the owners of private property requiring fire lanes, and that matters are moving towards a finishing point.

4. Advised Council that the new boiler is being installed in the City Building, and the work should be finished soon.

5. Commended retiring Mayor Daniel D. McDonald and Councilmen Harold Caldwell and Carl Schneider with several complimentary comments about their work, and noted that he had enjoyed working with them the past seven years.

MAYOR'S REPORT

1. Vice Mayor Reed reported receipts of \$2,593.00 for the court session held on November 2nd, and \$1,115.00 for the court session held on November 16th. He turned over a check in those amounts to the Clerk/Treasurer for deposit in the General Fund.

2. Mr. Reed then commented on the financing of several park activities in the past, and explained in detail how receipts of approximately \$170,000 from the David Frisch estate in the form of inheritance tax had actually "paid the bill" for the 26 acres of park land in the Dawson Road area which is being considered as a new recreational facility. Mr. Reed proposed that, in the future, Council not use inheritance tax receipts for day-to-day expenses, but use them for capital improvements as "memorials" to the deceased as they actually were more in the form of gifts to the City from persons who lived here, rather than taxes. It was then moved by Reed, seconded by Schneider, that Council adopt a resolution that in preparing the Appropriation Ordinance in the future, no more than \$20,000 annually be allocated from inheritance tax revenues for the General Fund, and that any monies over the \$20,000 be put into Capital Improvement Fund. On voice vote, all voted aye and the resolution passed.

Mr. Schneider then made several comments about the disruptive procedures used by visitors to Council in the last few years when addressing this body on various situations. He said he felt that this was a very bad practice that caused many hard feelings and, also, gave Council a burden of response which they sometimes were not prepared to handle, having not known that these matters were going to come before them that evening. He said he had prepared a resolution which he felt would alleviate the situation, and he thought it was most appropriate for him to present it at

this time since the election was now past and it would have no direct bearing on himself as he is retiring as a Councilman. Following these comments, it was moved by Schneider, seconded by Caldwell, that a modification of procedures be utilized in the future regarding recognition of visitors desiring to address Council in that any such visitors must register with the Clerk of Council prior to the start of each Council meeting, and that they must identify themselves as to name, address and the subject matter which they wish to discuss; such properly registered visitors to be recognized early in the meeting, or at any time best suited to the agenda of that particular meeting. Mrs. Christie suggested that this matter be held over for the future Council as they could have discussion points that would not be apparent this evening. However, the question was called and on voice vote, all voted aye and the motion passed unanimously.

Mr. Atkins then said he wanted to comment briefly on the services of the three retiring members of Council in attendance this evening in case they were not present at the first meeting of the new Council on December 5th. Mr. Atkins noted that the cumulative service of the four men who will be retiring, namely, Mayor Daniel D. McDonald, Vice Mayor Allen M. Reed, Councilman Harold Caldwell, and Councilman Carl A. Schneider, totaled more than 65 cumulative years. He said he felt this was a gift to the City that few men would be able to match. He thanked the four men profusely for their service, and said that he had enjoyed working with them. (His comments will be carried to Mayor McDonald, who is recuperating at home.)

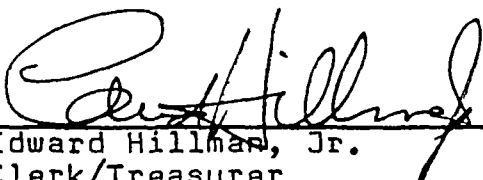
Councilwoman Christie then voiced the same type of comments to the four men. Vice Mayor Reed responded that Mr. Patterson, who also was retiring at the end of this term, certainly deserved a token of appreciation from the City for his services as Solicitor and the professional manner in which he conducted the business of the City.

Mr. Patterson thanked everyone for their comments, and then noted that he had two items on his desk which would complete his service as Solicitor:

1. He had researched the State statutes regarding the proposed change of title from Solicitor to Law Director, and noted that this is not mandatory to Charter cities if not desired.
2. He bequeathed to his successor, whoever he may be, the "barking dog" ordinance, which he had not completed at this time.

Mr. Reed then read Edmund Burke's statement of November 3, 1774, regarding elections.

There being no further business to come before the Council, the meeting was adjourned.


Edward Hillman, Jr.
Clerk/Treasurer

Allen M. Reed, Vice Mayor

ORDINANCE NO. 1568

ACCEPTING THE BID OF RUMPKE WASTE, INC. OF
10777 HUGHES ROAD, CINCINNATI, OHIO, 45247
FOR TRASH AND GARBAGE COLLECTION AND DIS-
POSAL FROM ALL STREETS IN MADEIRA OF
UNLIMITED AMOUNTS AND SIZES AND CONTENT.

WHEREAS, the City Manager of the City of Madeira advertised
for bid on Trash Collection and Disposal from December 18, 1981
to December 16, 1983; and

WHEREAS, the City Manager has considered all bids and found
that the Rumpke Waste, Inc. bid of \$221,520.00 for the two year
period to be the lowest and best bid;

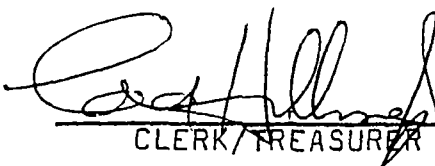
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY
OF MADEIRA, STATE OF OHIO:

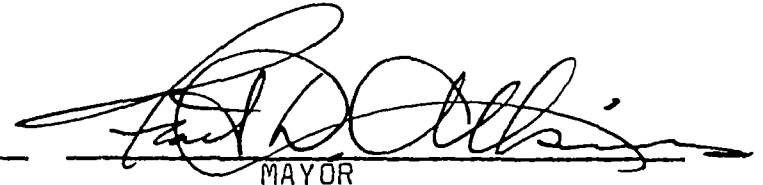
Section 1. That the bid of Rumpke Waste, Inc. of \$221,520.00
for a two year period for all trash collection and disposal
is the lowest and best bid and the City Manager is author-
ized to enter into a contract with the Rumpke Waste, Inc.
for the collection and disposal of all trash at the above
quoted price.

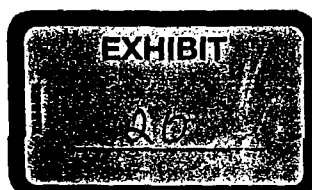
Section 2. That this ordinance shall take effect on Decem-
ber 18, 1981.

Passed this 16th day of November, 1981.

ATTEST:


CLERK/TREASURER


MAYOR



MADEIRA CITY COUNCIL

November 16, 1981

Regular Meeting

Tonight being the annual observance of Youth night in Madeira, wherein members of the Senior class of Madeira High School are elected by their peers to assume the roles of the elected and appointed officials in the City during Youth Week, the meeting was opened at 8:00 p.m. by Student Mayor Smith. The Invocation was given by Student Member of Council Erik Mattes. Following the opening ceremonies, Mayor Atkins introduced the members of the student body who were sitting with their counterparts in Council Chambers this evening.

Members of the student body sitting in Council this evening included: Kelly Smith, Mayor; Paul Moyer, Erik Mattes, Chip Gardner, Doug Grant, Jenny Byrne, Christie Brockage were seated as Members of Council; Tom Vorjahan, City Manager; Stephanie Hopping, Police Chief; Pete Paris, Solicitor; Robert Volz, Clerk/Treasurer; and Rob Van Buskirk, Tax Commissioner were present. On roll call, all members of Council but Robert Lee and Student Councilman Moyer were present. Also present were City Manager, Solicitor, Police Chief, Clerk/Treasurer and their student counterparts.

The minutes of the November 2, 1981 meeting were accepted after minor corrections.

At this time the regular agenda of Council was set aside so that Mr. Atkins could recognize John Niemantsverdriet who had resigned as Chairman of the Recreation Board after many years of faithful service. Mr. Atkins commented on Mr. Niemantsverdriet's service then presented him with a plaque naming him Commissioner Emeritus of the City of Madeira. The agenda was then accepted after several additions were made.

CORRESPONDENCE

A notification from Cincinnati Bell that a rate increase would be requested from the PUCU at an early meeting.

A letter from the Ohio State Liquor Control Board regarding a change of ownership of the Laurel Avenue Convenient Food Market and asking whether there were any objections. It was moved by Woebkenberg, seconded by Byrne, that the City of Madeira voice no objection to this change of ownership. On voice vote, all voted aye and the motion passed. The Clerk-Treasurer is to advise the State Liquor Control Board of Council's action.

A letter from Mr. Carl A. Schneider, Vice-Chairman of the Madeira Planning Commission, advising Council that in his opinion Ordinance No. 1560 as passed at the last regular meeting of Council was invalid due to an incorrect legal description of the property being rezoning. Mr. Schneider also mentioned several other points. Mayor Atkins said the matter would be taken up in executive session under the potential litigation provision of the Sunshine Law.

ORDINANCES AND RESOLUTIONS

Ordinance No. 1567 TO AMEND THE CODIFIED CODE OF THE CITY OF MADEIRA AS SECTION 73.02 DRIVING WITH IMPAIRED ALERTNESS OF ABILITY: USE OF DRUGS was presented for the 2nd reading. It was moved by Woebkenberg, seconded by Case, that Ordinance No. 1567 be passed to the third reading. On roll call vote, all voted aye but Mrs. Christie who voted no and the motion passed on a 5-1 vote.

Ordinance No. 1568 ACCEPTING THE BID OF RUMPKE WASTE, INC. 10777 HUGHES ROAD, CINCINNATI, OHIO, 45247 FOR TRASH AND GARBAGE COLLECTION AND DISPOSAL FROM ALL STREETS IN MADEIRA OF UNLIMITED AMOUNTS AND SIZES AND CONTENT was presented for action. Mr. Toth discussed in detail the bids received for this two year contract and recommended

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that Rumpke Waste, Inc. be awarded the contract for 1982-83. It was moved by Christie, seconded by Wilkinson that Ordinance No. 1568 be passed in its present form. On roll call vote, all voted aye and the motion passed.

Ordinance No. 1569 APPOINTING DEPUTY TREASURERS FOR THE CITY OF MADEIRA, OHIO was presented for action. It was moved by Wilkinson, seconded by Case, that Ordinance No. 1569 be passed in its present form. It was moved by Woebkenberg, seconded by Christie, that the Ordinance be amended to include Mrs. Pope of the Tax Commissioners office. On roll call vote all voted aye and the amendment passed. On the question on the passage of the ordinance, on roll call vote, all voted aye and the motion passed unanimously.

There were no Committee reports to be heard this evening.

CITY MANAGER'S REPORT

Mr. Toth discussed his meeting with Warner-Amex recently and introduced Mr. Seth Morrison of Warner-Amex who engaged in a discussion with Council members certain aspects of the Warner-Amex installation in Madeira.

He then reported that the Salt Bin is about accomplished and ready for use.

He discussed various problems regarding the heating of the new Service Building, the Park & Ride project, which is now under construction, the meeting of the Board of Directors of the Fire Department which had resulted in several letters concerning administration to his office from Chief Coy, a request from Chief Hudson for a meeting of the Laws & Contracts Committee and finally, his discussion with Baltimore and Ohio Railroad officials which resulted in an agreement to fix the railroad crossing at Miami Avenue.

OLD BUSINESS

Mr. Byrne reopened the discussion which took place last meeting and resulted the direction to the City Manager to apply for Community Development Block Grants. Following a discussion of the advantages and disadvantages of obtaining federal money in this type of a program, it was moved by Byrne, seconded by Woebkenberg, that the City Manager be directed to decline participation in the Community Development Block Grant Program. Mrs. Christie responded with opposition to this motion but when the question was called, there were five ayes and one no, Mrs. Christie decending. The motion carried to decline participation at this time in the Community Development Block Grant Program.

Mr. Byrne then commented briefly on the last two years in which he had been a member of the Council and thanked everyone for their cooperation and dedication to the job. Mayor Atkins then praised Mr. Byrne for his participation.

At this time, comments were asked from the Student Government Officials in the Chamber who participated in the meeting. Several students responded with observations regarding the conduct of the meeting this evening, following which Mayor Atkins thanked them for their participation in the program.

The Mayor then noted that a vacancy now existed on the Recreation Board due to the resignation of Linda Kovell. It was moved by Mr. Atkins, seconded by Wilkinson that Mrs. Mary Pollock be appointed to the Madeira Recreation and Parks Board. On voice vote all voted aye and the motion passed.

Mr. Woebkenberg commended Mayor Atkins for the six years and four months that he had served on Council and Mr. Byrne for the two year term he had just completed in the organization. He thanked them for their participation and their dedication to a difficult and time

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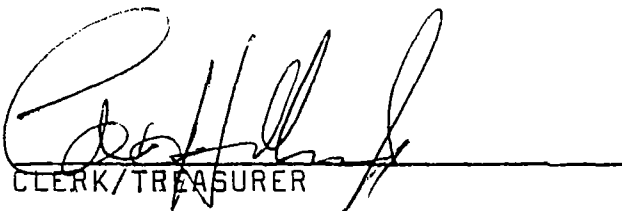
consuming job.

Following Mr. Woebkenberg's remarks, Vice-Mayor Wilkinson then presented plaques of recognition to outgoing Mayor Atkins and Councilman Byrne.

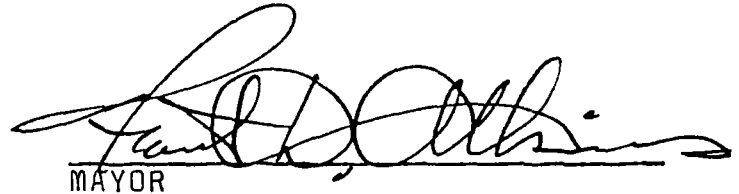
The regular meeting was recessed at 9:45 p.m. in order that Council could go into executive session.

Executive session was opened at 10:00 p.m. Matters discussed were the legal situation regarding the Heldon Company, the Police Contract which currently is in a litigation status in Hamilton County Court, an evaluation of the City Manager which is due at the finish of Councilmatic term, and the letter of Carl A. Schneider regarding the Lucky Living Inc. rezoning matter. The executive session was recessed at 10:35 p.m. and Council returned to Council Chambers to continue with the regular meeting. At this time a special meeting of Council was announced for 7:00 p.m. on November 23, 1981 at which time Council would go into executive session to discuss the Lucky Living situation in regards to possible litigation.

There being no further business to come before the meeting it was adjourned at 10:40 p.m.



CLERK/TREASURER



MAYOR

ORDINANCE NO. 1654

ACCEPTING THE BID OF RUMPKE WASTE, INC.
OF 10777 HUGHES ROAD, CINCINNATI, OHIO
45247 FOR TRASH AND GARBAGE COLLECTION
AND DISPOSAL FROM ALL STREETS IN MADEIRA
OF UNLIMITED AMOUNTS AND SIZES AND CONTENT.

WHEREAS, the City Manager of the City of Madeira
advertised for bid on Trash Collection and Disposal from
December 26, 1983 to December 26, 1986; and

WHEREAS, the City Manager has considered all bids
and found that the Rumpke Waste, Inc. bid of \$300,330.00
for the three year period to be the lowest and best bid;

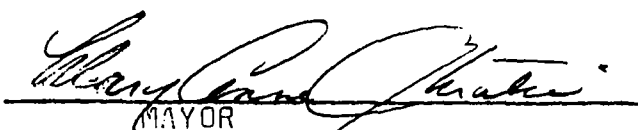
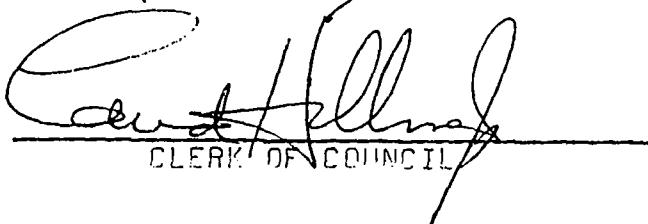
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF MADEIRA, STATE OF OHIO:

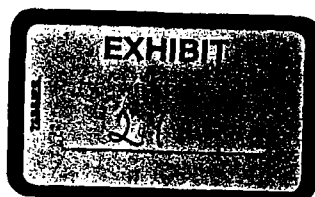
Section 1. That the bid of Rumpke Waste, Inc. of
\$300,330.00 for a three year period for all trash collection
and disposal is the lowest and best bid and the City Manager
is authorized to enter into a contract with the Rumpke
Waste, Inc. for the collection and disposal for all trash
at the above quoted price.

Section 2. That this ordinance shall take effect
on December 26, 1983.

Passed this 17th day of October, 1983.

ATTEST:


MAYOR

CLERK OF COUNCIL



MADEIRA CITY COUNCIL
OCTOBER 17, 1983
Regular Meeting

The meeting was called to order at 8:00 p.m. in Council Chambers of the City of Madeira, Mary Anne Christie, presiding.

The Invocation was given by Councilman Collopy, following which the Mayor led visitors and Council in the Pledge of Allegiance to the Flag.

On roll call, members of Council Vice-Mayor Lee, Councilmen Stamm, Case, Collopy, Woebkenberg and Mayor Christie were present.

Also present were City Manager Toth, Solicitor Randolph, Treasurer Soper, Chief of Police Hudson and Clerk of Council Hillman.

The minutes of the previous meeting were accepted after several corrections were made.

The agenda for the meeting was accepted after it had been modified to allow a change in schedule due to many visitors present who were interested in several specific matters.

Mayor Christie introduced Mrs. Sherry Mattes, noted 4-H leader in the City of Madeira who, in turn, introduced the advisors of this organization for this year. Following these amenities, Mrs. Mattes commented on the awards won by several young members of the Madeira 4-H Club and each child was introduced and presented certificates by Mayor Christie.

Dr. Harold Jacobs, Director of the Hamilton County Board of Health, was then introduced to Council. Dr. Jacobs discussed the current and future contracts between the Board of Health and the various cities, including Madeira. Dr. Jacobs then briefed Council on the means which the Hamilton County Board of Health used to achieve the funds needed to operate the county-wide organization. Following Dr. Jacobs' remarks, he responded to several questions from members of Council.

REGISTERED VISITORS

Mrs. Alice Rogers Uhl, representing the Manor Care/Woodside of 5970 Kenwood Road, invited attention to the community Halloween Party to be held at the facility on October 31 from 6-9 p.m. in conjunction with the celebration of Halloween by the young people of the city.

Mrs. W. G. Anderson of 6542 Rollymeade Avenue, noted her opposition to the decision to drop the proposed RV Ordinance without the scheduled report of the Planning and Research Committee of Council. Vice-Mayor Lee responded to Mrs. Anderson's comments regarding the decision to eliminate the RV Ordinance, made at the October 3rd meeting, after his interim report on the matter. Mrs. Sherry Mattes of 6747 Euclid Avenue asked to counter Mrs. Anderson's comments, particularly those directed at her personally, but was denied the opportunity by Mayor Christie who said further comments from either side on this matter were not necessary due to Council's decision.

Due to the large number of visitors interested in the proposed Kroger Supermarket construction, Ordinance #1656 was then presented for councilmanic action. It was moved by Stamm, seconded by Woebkenberg, that Ordinance #1656 be passed in its present form. It was then moved by Collopy, seconded by Lee, that the final line of this ordinance be deleted, and the last phrase of Section V on page 7 also be deleted. On voice vote, all voted aye. It was then moved by Collopy, seconded by Woebkenberg that Section 13 on Page 9 of the Ordinance be deleted in its entirety. On voice vote, all voted aye. The question was then called on passage of the ordinance and on roll call vote, all voted aye and the motion passed by unanimous vote. Vice-Mayor Lee complimented the Council on taking this action as a "first", and said that it would be of great benefit to the city. At 9:35 p.m., a fifteen minute recess was called in the meeting in order that those visitors who wished to leave could do so during the break. The regular meeting was reconvened at 9:50 p.m. Mr. Case, Chairman of the

Public Works Committee, briefed Council on meetings held by his committee on September 17 and October 4, respectively. These meetings concerned the selection of an engineering firm to study the Madeira Business District and make recommendations for future action in this area. Mr. Case then noted that the committee had recommended that a contract with K.Z.F. Incorporated for \$5,000.00 be entered into by the city. Mr. Case and City Manager Toth explained, at Mr. Woebkenberg's request, why the city was in need of an architectural, engineering firm's services at this time. Following this discussion, Ordinance #1653, AUTHORIZING THE CITY MANAGER TO EXECUTE ON BEHALF OF THE CITY OF MADEIRA, A CONTRACT WITH K.Z.F. INCORPORATED, CITY PLANNERS, 2830 VICTORY PARKWAY, CINCINNATI, OHIO 45206 FOR CONSULTANT SERVICES TO PROVIDE A BUSINESS DISTRICT MASTER PLAN was presented for councilmanic action. It was moved by Case, seconded by Lee that ordinance #1653 be passed in its present form. On roll call vote, all voted aye and the motion passed unanimously. Mr. Lee suggested that Mr. Case be a member of the task force to work with K.Z.F. and also that the Planning Commission be asked to provide a member for this task force.

Mr. Case then asked Council to review the second subject noted on the October 4 committee meeting, in which his committee had recommended that the city advertise for bids for maintenance work on the Longfield Storm Water problem. It was moved by Case, seconded by Lee, that the City Manager advertise for bids and the project be undertaken with or without county assistance if the bid is within the estimated cost of \$10,000.00. On voice vote, all voted aye and the motion passed. Mr. Case, also, noted that this project is subject to Dr. Clark's approval as he owns the property on which the work will be performed.

CITY MANAGER'S REPORT

Mr. Toth recommended (Item 4) that a meeting of the Finance Committee with the treasurer of the Madeira/Indian Hill Fire Department in order to discuss their 1984 budget to be held. This was scheduled for November the 1st, at 7:30 PM. All other items are self explanatory.

TREASURER'S REPORT

Treasurer Soper gave an up date on the city's financial status and responded to several queries by councilmen.

COMMITTEE REPORTS

Mr. Lee gave a report on the Planning and Review Committee's discussions of Ordinance #1655 following which it was moved by Lee, seconded by Woebkenberg that Ordinance #1655 be returned to the Planning Commission for review and report back to Council within sixty (60) days. On voice vote, all voted aye. At this moment Council enjoyed a slight bit of levity of the "Group Fungus Contracted" subject in the committee report.

ORDINANCES AND RESOLUTIONS

Ordinance #1636 AMENDING THE MADEIRA CODIFIED CODE OF ORDINANCES CHAPTER 150 FOR THE CITY OF MADEIRA BY CHANGING CERTAIN SECTIONS was presented for councilmanic action. It was moved by Lee, seconded by Stamm that Ordinance #1636 be passed to the 3rd reading. On roll call vote, all voted aye and the motion passed unanimously.

Ordinance #1654 ACCEPTING THE BID FOR RUMPKE WASTE, INC. OF 10777 HUGHES ROAD, CINCINNATI, OHIO 45247 FOR TRASH AND GARBAGE COLLECTION AND DISPOSAL FROM ALL STREETS IN MADEIRA OF UNLIMITED AMOUNTS AND SIZES AND CONTENT for a three year period beginning December 26, 1983

was presented for councilmanic action. It was moved by Lee, seconded by Case that Ordinance #1654 be passed in its present form. On roll call vote, all voted aye and the motion passed.

Resolution #502 REGARDING CERTAIN MATTERS OF ADMINISTRATION OF THE I.C.M.A. RETIREMENT INCORPORATION was presented for councilmanic action. It was moved by Woebkenberg, seconded by Collopy that Resolution #502 be passed in its present form. Mr. Lee then asked what the appendicies A & C meant. Mr. Collopy asked if the city was involved as far as liability was concerned. Following discussion on these points it was suggested that action on this resolution be deferred until more data can be compiled on this resolution be deferred until more data can be compiled for Council's consideration. It was moved by Collopy, seconded by Woebkenberg that Resolution #502 be tabled until the November 7th meeting. On voice vote, all voted aye and the motion passed.

MAYOR'S REPORT

I. Mrs. Christie noted that a seminar involving community investment corporation matters will be held in Columbus in the near future at a cost of \$25.00 per attending, and that some members of the C.I.C. had \$500 in their administrative fund, and that it should expend money out of that fund for this activity of the group. Mr. Lee suggested that the C.I.C. look at the matter and decide whether they want anyone to attend.

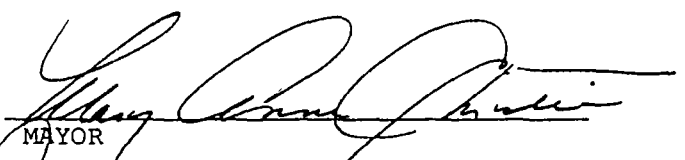
II. The Mayor noted that a land use study for Planning Commission members and C.I.C. members also would be held in Columbus at a cost of \$75 to \$100 per person. It was moved by Stamm, seconded by Woebkenberg that \$100 be taken out of red line status to allow a member of the Planning Commission to attend if desired by that group.

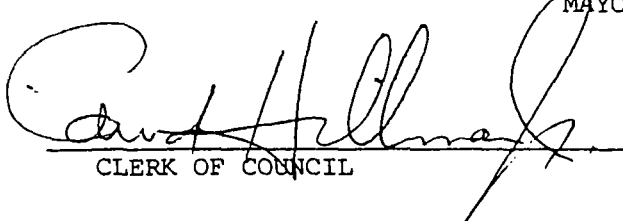
III. Mrs. Christie advised Council that the often discussed bicycle path project is again viable and that funds could be applied for if done by December 1. The matter was referred to the City Manager for study and possible action.

IV. The Mayor noted that she received a letter from Clerk of Council Hillman in which he advised her and the other members of Council that after almost a quarter of a century of service to the city, he had decided that it would be best if he did not seek re-appointment to the office for the new term starting December 1, 1983. Vice-Mayor Lee complimented Mr. Hillman on his service to the community for such a long period of time and said that his expertise would be missed. Several other members of Council commented similiarly.

At 10:44 PM the Regular Meeting of Council was recessed in order that Council could go into executive session to discuss possible litigation against the city. The meeting was recessed at 11:10 PM and Council returned to Chambers to reconvene the meeting, which had been in progressed. It was moved by Collopy, seconded by Stamm that the Solicitor be advised to contact the opposing attorney. set a meeting with a three-person committee and himself to answer a request from the Cincinnati Real-Estate Board. The Solicitor then report back to Council for further instructions. On voice vote, all voted aye and the motion passed.

There being no further business to come before the meeting, it was adjourned at 11:13 PM.


MAYOR


CLERK OF COUNCIL

CITY MANAGER'S REPORT TO COUNCIL
October 17, 1983

I. Public Hearings

The P.U.R.D. hearing scheduled for 6:30 PM has been cancelled. Mr. Lee, Chairman of Planning and Review Committee, will discuss this proposed Ordinance with you.

The first hearing concerning the issuance of revenue bonds for the Kroger store will take place at 7:15 PM. Mr. Kasson, representing the legal firm, will make the presentation. Enclosed in your packet is a copy of the documents.

The second hearing is scheduled for 7:30 PM. This hearing is a request for a zone change from Residential "B" to Business "A". The Planning and Zoning Commission heard this request at its September 26, 1983, meeting and denied the request.

Part of the problem seems to be where the property in question is located. The mailing address is 7721 Camargo Road, but as indicated on your enclosed map it could be located on Dones Avenue.

II. Halloween

The Hamilton County Municipal League have set Monday, October 31, 1983, for the purpose of Trick or Treat for the children. The hours will be 6:00 PM to 9:00 PM.

III. Student Government

The week of November 21, 1983, has been designated as student government week. Students who are elected will participate in the Council meeting scheduled for that evening.

If there are any suggestions concerning this program, we should be prepared to discuss them at the November 7th meeting.

IV. Fire Company Budget

I have enclosed a copy of the proposed 1984 Fire Company budget for your review.

At this time I will use the figures provided for my 1984 appropriations but perhaps the Finance Committee of Council may wish to meet with the Finance Committee of the Fire Company to clarify any question we may have.

V. Dr. Jacobs

Dr. Harold Jacobs of the Hamilton County Health Department will be with us this evening to clarify several questions regarding the County Health Department services.

VI. Selection of Consultant

Mr. Case, Chairman of the Public Works Committee, has presented his proposal to you. If there are any questions, he will clarify them for you.

VII. I.C.M.A.

The Federal Government has recently enacted new regulations that require the employer, the City of Madeira, to adopt a Resolution of Participation. I have enclosed a copy of the Resolution as well as several other documents involving the I.C.M.A. Retirement Trust.

VIII. Waste Disposal

The present contract that we have with Rumpke Waste, Inc. expires December 18, 1983.

I advertised for bids recently. Four companies received the specifications and two (2) of these presented quotes. The specifications are for a three (3) year period beginning December 26, 1983. The quotes received are as follows:

Rumpke Waste, Inc.	\$300,330.00 for 3 years
	\$100,110.00 per year
	\$8,342.50 per month
Waste Away	\$324,225.00 for 3 years
	\$108,075.00 per year
	\$9,006.25 per month

Our present rate is \$110,775.00 per year or \$9,231.25 per month. The City will experience a reduction in cost of \$888.75 per month or \$10,665.00 per year or \$31,995.00 over the life of the contract. I would recommend that we enter into a contract with the Rumpke Waste, Inc. Company for the next three years.

IX. Revenue Bonds

Enclosed in your packet is a copy of the Ordinance proposed by the Kroger Company for the issuance of Economic Development Revenue Bonds. A representative from the legal firm will be available if there are any questions.

ORDINANCE NO 86-30

ACCEPTING THE BID OF RUMPKE WASTE SYSTEM,
OF 18777 HUGHES ROAD, CINCINNATI, OHIO,
45247 FOR TRASH AND GARBAGE COLLECTION
AND DISPOSAL FROM ALL STREETS IN MADEIRA
OF UNLIMITED AMOUNTS AND SIZES AND
CONTENT, PER CITY SPECIFICATIONS.

WHEREAS, the City Manager of the City of Madeira advertised for
bids on trash collection and disposal from December 26, 1986 to
December 26, 1991; and

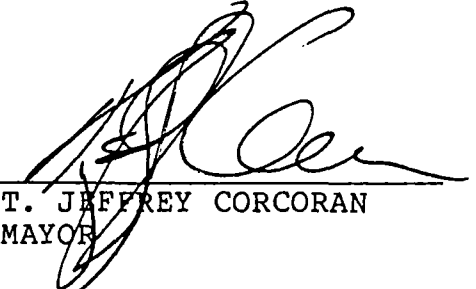
WHEREAS, the City Manager has considered all bids and found
that the Rumpke Waste System bid of six hundred ninety two thousand
two hundred fifty dollars (\$692,250.00) for the five year period to
be the lowest and best bid;

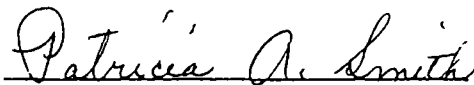
NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
MADEIRA, STATE OF OHIO:

Section 1. That the bid of Rumpke Waste System of six hundred
ninety two thousand two hundred and fifty dollars (\$692,250.00) for
a five year period for all trash collection and disposal is the
lowest and best bid and the City Manager is authorized to enter
into a contract with the Rumpke Waste Systems for the collection
and disposal for all trash at the above quoted price.

Section 2. That this ordinance shall take effect on December
26, 1986.

PASSED THIS 3RD DAY OF NOVEMBER, 1986.


T. JEFFREY CORCORAN
MAYOR


PATRICIA A. SMITH
CLERK OF COUNCIL



MADEIRA CITY COUNCIL
REGULAR MEETING
NOVEMBER 3, 1986

I. CALL TO ORDER

- A. Council was called to order by Mayor Corcoran at 8:00 p.m. in Council Chambers.
- B. Invocation - Clerk of Council P. Smith
- C. Pledge of Allegiance

II. ROLL CALL

- A. The following Council members were present:

Councilman Hillhouse	Councilman Ortiz
Councilman Stamm	Councilwoman Christie
Councilman McDonald	Mayor Corcoran

- B. Absent:

Vice Mayor Siebert

- C. The following City Officials were present:

City Manager Toth	Treasurer Soper
Solicitor Randolph	Clerk of Council Smith

III. MINUTES ACCEPTED

- A. Minutes from the Regular Meeting of October 6, 1986, were accepted after spelling corrections were made.
- B. Minutes from the Special Meeting of October 14, 1986, were accepted as written.
- C. Minutes from the Special Meeting of October 20, 1986, were accepted with one correction.

IV. AGENDA ACCEPTED

- A. The agenda was accepted with additions.
 - 1. Old Business - KZF Study
 - 2. New Business - Committee meeting

V. CORRESPONDENCE

- A. The City of Madeira received a copy of a deed for 66-2/3 square yards of the all-weather track at Madeira High School.
- B. A letter was reported from Warner Amex announcing price adjustments, effective January 1, 1987.

VI. GUESTS AND REGISTERED VISITORS

- A. Fire Chief Robert Coy of the Madeira/Indian Hill Joint Fire District, recognized and commended the department's Volunteer Firefighters and Emergency Medical Technicians.
 - 1. Mayor Corcoran presented a certificate of Appreciation and personally thanked each member for their valuable contribution of time, expertise and energy.

B. Gerald Seeger, 7512 Juler Avenue.

1. Mr. Seeger questioned Council about any actions taken regarding the sewer problem on Juler Avenue.
 - a. City Manager Toth reviewed the work done by M.S.D.
2. Mr. Seeger reported that the problem still exists.
 - a. Mayor Corcoran requested the Public Works Committee specifically review Mr. Seeger's situation and have a recommendation by January, 1987.

C. Walt Becker, 7337 Camargo Road.

1. Mr. Becker discussed the zoning situation for the property at the corner of Camargo Road and Shawnee Run (the old Sohio Station). The property has reverted back to Residence AA and the neighbors are interested in maintaining that zoning plus assuring the physical maintenance of the property and existing building.
 - a. The City Manager was requested to contact Sohio to see if they would be willing to donate the property to the City as a green belt, or properly maintain the property.
 - b. Council requested the C.I.C. study the problem.

D. Dave Hopkins, Rumpke Waste System representative.

1. Mr. Hopkins was present to answer any questions concerning the renewal of the contract for garbage and trash collection.
 - a. Council members commended Rumpke for fast, efficient service.
2. Mr. Hopkins stated the days of pick-up in Madeira may be reduced from four (4) days to two (2) days. Rumpke will be responsible for notifying citizens of any change in their day for pick-up.

VII. ORDINANCES AND RESOLUTIONS

A. ORDINANCE NO. 86-30: ACCEPTING THE BID OF RUMPKE WASTE SYSTEMS, 18777 HUGHES ROAD, CINCINNATI, OHIO 45247 FOR TRASH AND GARBAGE COLLECTION, AND DISPOSAL FROM ALL STREETS IN MADEIRA OF UNLIMITED AMOUNTS AND SIZES AND CONTENT, PER CITY SPECIFICATIONS.

1. Motion - Approve Ordinance 86-30.
 - a. Moved by Councilwoman Christie, seconded by Councilman McDonald.
 - b. Discussion followed.
 - c. Approved by unanimous roll call vote.

B. ORDINANCE NO. 86-31: AN ORDINANCE AUTHORIZING AN EXPENDITURE BY CITY OF MADEIRA COUNCIL MEMBERS AND CERTAIN CITY OFFICIALS FOR STUDENT GOVERNMENT LUNCHEON.

1. Motion - Approve Ordinance 86-31.

- a. Moved by Councilman Hillhouse, seconded by Councilman Ortiz.
 - b. Discussion followed.
 - c. Approved by unanimous roll call vote.
- C. ORDINANCE NO. 86-32: AN ORDINANCE ENACTING AND ADOPTING A SUPPLEMENT TO THE CODE OF ORDINANCES OF THE CITY OF MADEIRA, OHIO.
1. Motion - Approve Ordinance 86-32.
 - a. Moved by Councilwoman Christie, seconded by Councilman Hillhouse.
 - b. Discussion followed.
 - c. Approved by unanimous roll call vote.
- D. ORDINANCE NO. 86-33: AN ORDINANCE AMENDING ORDINANCE 1386 ENTITLED, "FLOOD DAMAGE PREVENTION ORDINANCE" TO COMPLY WITH CONTINUED ELIGIBILITY REQUIREMENTS FOR PARTICIPATION IN THE NATIONAL FLOOD INSURANCE PROGRAM.
1. Motion - Approve Ordinance 86-33.
 - a. Moved by Councilman Stamm, seconded by Councilman McDonald.
 2. Discussion followed.
 - a. Councilwoman Christie suggested that a committee review previous actions by the City involving flood plain management.
 - b. Referred to the Economic Development and Legislative Review Committee.
 3. Approved by unanimous roll call vote.
- E. ORDINANCE NO. 86-34: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO PAY RITTER & RANDOLPH FOR EXTRAORDINARY SERVICES RENDERED.
1. Motion - Approve Ordinance 86-34.
 - a. Moved by Councilwoman Christie, seconded by Councilman Ortiz.
 - b. Discussion followed.
 - c. Approved by unanimous roll call vote.
- F. RESOLUTION 25-86: RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.
1. Motion - Approve Resolution 25-86.
 - a. Moved by Councilman McDonald, seconded by Councilman Ortiz.
 - b. Discussion followed.
 - c. Approved by unanimous voice vote.

VIII. OLD BUSINESS

A K.Z.F. STUDY

1. Councilwoman Christie questioned whether the proposed K.Z.F. Master Plan is in keeping with the original purpose - providing a practical planning tool that can be implemented. The Madeira residents have strongly opposed the condominium concept, but the K.Z.F. Master Plan includes a proposal for condominiums. How can this be implemented when our zoning prohibits condos? A discussion was held, but there was no consensus of Council. City Manager Toth will discuss these concerns with the Planners.

IX. NEW BUSINESS

A. Schedule meeting.

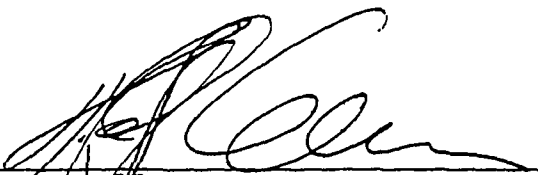
1. The ad hoc committee to study the possibility of providing bus service for the elderly will meet Saturday, November 15, 1986, at 8:00 a.m.

X. EXECUTIVE SESSION

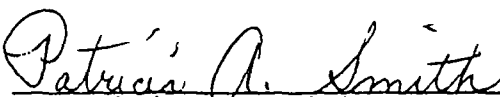
- A. At 10:20 p.m. Council was adjourned to Executive Session to discuss personnel.

XI. ADJOURNMENT

- A. Council was adjourned by Mayor Corcoran at 1:30 a.m.



T. Jeffrey Corcoran
Mayor



Patricia A. Smith
Clerk of Council